

# Union Calendar No. 20

116th Congress, 1st Session - - - - - House Report 116-40

## AUTHORIZATION AND OVERSIGHT PLANS

FOR ALL

## HOUSE COMMITTEES

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BY THE

## COMMITTEE ON OVERSIGHT AND REFORM

HOUSE OF REPRESENTATIVES

(Required by House Rule X, Clause 2)



APRIL 12, 2019.—Committed to the Committee of the Whole House on  
the State of the Union and ordered to be printed

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## LETTER OF TRANSMITTAL

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HOUSE OF REPRESENTATIVES,  
*Washington, DC, April 12, 2019.*

Hon. NANCY PELOSI,  
*Speaker of the House of Representatives,*  
*Washington, DC.*

DEAR MADAM SPEAKER: In accordance with Rule X(2) of the Rules of the House of Representatives, I respectfully submit the oversight plans of each specified standing committee together with recommendations to ensure the most effective coordination of such plans and otherwise achieve the objectives of the House Rules.

ELIJAH E. CUMMINGS,  
*Chairman.*



## Union Calendar No. 20

116TH CONGRESS <i>1st Session</i>	HOUSE OF REPRESENTATIVES	REPORT 116-40
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### AUTHORIZATION AND OVERSIGHT PLANS FOR ALL HOUSE COMMITTEES

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APRIL 12, 2019.—Committed to the Committee of the Whole House on the State of  
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Mr. ELIJAH E. CUMMINGS, from the Committee on Oversight and  
Reform, submitted the following

### R E P O R T

### OVERSIGHT IN THE 116TH CONGRESS RECOMMENDATIONS OF THE COMMITTEE ON OVERSIGHT AND REFORM

#### I. OVERVIEW

Conducting oversight is a core responsibility of Congress under the Constitution. It is through the oversight function that Congress performs its role as a check on abuses by the other branches of government. It is Congress' responsibility to utilize the oversight process to review, monitor, and supervise the implementation of public policy to ensure the effective and efficient operation of the nation's laws, as well as to recommend improvements to those laws.

As the Supreme Court recognized more than 60 years ago in *Watkins v. United States*:

The power of the Congress to conduct investigations is inherent in the legislative process. That power is broad. It encompasses inquiries concerning the administration of existing laws as well as proposed or possibly needed statutes. It includes surveys of defects in our social, economic or political system for the purpose of enabling Congress to remedy them.<sup>1</sup>

It is by conducting oversight that the 116th Congress will identify ways to lower healthcare costs for the American people, increase wages for working families, fix the nation's crumbling roads,

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<sup>1</sup> *Watkins v. United States*, 354 U.S. 178, 187 (1957).

bridges, and infrastructure, and ensure that taxpayer funds go to the programs and agencies for which they are intended.

In fiscal year 2018, the federal government made \$4.1 trillion in outlays to fund operations and programs.<sup>2</sup> Congress has a responsibility to conduct oversight to ensure that those funds are protected from waste, fraud, and abuse. Oversight will allow Congress to root out government corruption, strengthen democracy by countering threats to voting rights and election security, and provide transparency to improve ethics laws and ensure that government officials are working in the public's interest.

The tangible benefits of congressional oversight can be difficult to quantify, but the Government Accountability Office (GAO), which conducts investigations at the request of Members of Congress, has determined that the financial benefits of addressing high-risk issues highlighted by its work saved the federal government nearly \$350 billion since 2006, or \$27 billion per year.<sup>3</sup> Through its activities, GAO's oversight work saved taxpayers \$75.1 billion in fiscal year 2018 and resulted in 1,294 specific improvements in federal government operations.<sup>4</sup>

Similarly, according to the Council of the Inspectors General on Integrity and Efficiency (CIGIE), "in FY 2017, approximately 13,000 employees at 73 [Offices of Inspector General (OIGs)] conducted audits, inspections, evaluations, and investigations that resulted in . . . improvements to the economy and efficiency of programs Governmentwide, with potential savings totaling approximately \$54.6 billion. . . . The potential savings total includes: \$32.7 billion in potential savings from audit recommendations and \$21.9 billion from investigative receivables and recoveries."<sup>5</sup>

Although congressional committees may not track and aggregate the cost savings associated with oversight in the same way as GAO or OIGs, the tangible impact of the oversight conducted by Congress is no less significant. While the Committee on Oversight and Reform is the principal oversight committee of the House of Representatives, the various standing committees of the House each play an important role in conducting oversight on matters within their respective jurisdictions. House Rule X, Clause 2 recognizes Congress' critical oversight duties by establishing a process whereby each standing committee is required to adopt an oversight plan at the beginning of a new Congress. Under this rule, the Committee on Oversight and Reform is to review the various plans and, in consultation with the Speaker, the Majority Leader, and the Minority Leader, report to the House the oversight plans along with any recommendations that the House leadership and the Committee may have to ensure effective coordination. Pursuant to this rule, the Committee on Oversight and Reform has reviewed and consulted with House leadership about the oversight plans of the standing House committees for the 116th Congress. These plans

<sup>2</sup> Committee on Oversight and Reform, Testimony of Comptroller General Gene L. Dodaro, Government Accountability Office, *Hearing on High-Risk Series: Substantial Efforts Needed to Achieve Greater Progress on High-Risk Areas*, 116th Cong. (GAO-19-392T) (Mar. 6, 2019).

<sup>3</sup> Government Accountability Office, *GAO's 2019 High-Risk Series: Substantial Efforts Needed to Achieve Greater Progress on High-Risk Areas* (GAO-19-157SP) (Mar. 6, 2019).

<sup>4</sup> Government Accountability Office, *Performance and Accountability Report Fiscal Year 2018* (GAO-19-1SP) (Nov. 15, 2018) (online at [www.gao.gov/products/GAO-19-1SP](http://www.gao.gov/products/GAO-19-1SP)).

<sup>5</sup> Council of the Inspectors General on Integrity and Efficiency, *Annual Report to the President and Congress (Fiscal Year 2017)* (online at [www.ignet.gov/sites/default/files/files/FY17\\_Annual\\_Report\\_to\\_the\\_President\\_and\\_Congress.pdf#page=2](http://www.ignet.gov/sites/default/files/files/FY17_Annual_Report_to_the_President_and_Congress.pdf#page=2)).



outline a thoughtful and thorough approach for carrying out Congress' oversight responsibilities. The oversight agendas of the various House committees address a broad array of priorities focused on developing policy solutions for working families.

The Oversight Committee has several recommendations regarding coordination of oversight in the House of Representatives.

First, the Committee recommends that all committees draw on the wide variety of available oversight resources in their ongoing efforts to evaluate oversight needs and priorities. GAO, in particular, has vast experience both in conducting and evaluating the need for oversight. On March 6, 2019, GAO issued its biannual "High Risk Report," which identifies government programs that are particularly vulnerable to waste, fraud, or abuse.<sup>6</sup> Since its first iteration in 1990, the High Risk Report "has focused attention on government operations with greater vulnerabilities to fraud, waste, abuse, and mismanagement, or that are in need of transformation to address economy, efficiency, or effectiveness challenges."<sup>7</sup> Another valuable resource for congressional oversight is the agency Inspectors General, who can provide guidance to Congress through their audit plans and individual counsel. Committees also may wish to review relevant court rulings, past committee legislative and oversight reports, and the findings of other experts.

In addition, in any oversight effort, committees should seek the expertise of the Committee on House Administration and Committee on Ethics if any questions arise regarding appropriate use of House resources and the standards of conduct applicable to members and staff.

Finally, the task of ensuring accountability and appropriate policies on complex issues often requires the participation of multiple committees. Based on their respective jurisdictions and experience, different committees can lend varying types of expertise to the evaluation of a given matter. The oversight plans submitted by the standing committees for the 116th Congress recognize that a number of key issues demand scrutiny by several different committees. With respect to these issues, committees and subcommittees should be in close communication to ensure that they share the benefits of their findings and unique expertise.

Part II below describes a few examples of important areas identified by committees on which these recommendations may be instructive.

## II. EXAMPLES OF KEY OVERSIGHT AREAS

### HEALTHCARE

The nation's health care system continues to be one of the most expensive in the world, and health care costs continue to grow. In particular, skyrocketing prescription drug prices continue to impose tremendous burdens on patients, taxpayers, and the entire health care system. In addition, approximately 21 million Americans gained health care coverage under the Affordable Care Act (ACA) and its Medicaid expansion, but these individuals are now at risk

<sup>6</sup> See, e.g., Government Accountability Office, *High Risk Series: Progress on Many High-Risk Areas, While Substantial Efforts Needed on Others* (GAO-17-317) (Feb. 15, 2017).

<sup>7</sup> Government Accountability Office, *GAO's 2019 High-Risk Series: Substantial Efforts Needed to Achieve Greater Progress on High-Risk Areas* (GAO-19-157SP) (Mar. 6, 2019).

of losing this coverage if the Administration is successful in its attempts to undo and undermine the law. Several House committees will conduct coordinated oversight of these and other pressing health issues.

The Committee on Energy and Commerce plans to examine the availability, affordability, and quality of health care, including administrative efforts to undermine the ACA and the Medicaid program, and initiatives to address high prescription drug prices and other medical costs. The Committee will examine the ability of the Food and Drug Administration (FDA) to ensure the safety of drugs, devices, and cosmetics and to carry out tobacco control initiatives. The Committee also will continue to review federal efforts to protect the public health, including pandemic preparedness and efforts to address the opioid epidemic.

The Committee on Ways and Means will conduct oversight of the Centers for Medicare and Medicaid Services and the administration of the Medicare program, including Medicare Advantage, fee-for-service, and prescription drugs. The Committee will continue to examine the Executive Branch implementation of the ACA and review issues related to private health coverage, including surprise billing and prescription drug prices.

The Committee on Education and Labor will conduct oversight of the Administration's efforts to expand the use of short-term, limited duration health plans and Association Health Plans, as well as the impact of these efforts on the larger health care system.

The Committee on Armed Services will continue its review of military health policies, including TRICARE benefits and policies to address opioid use. In addition, the Committee on Veterans Affairs will work to improve the provision of health care to veterans, including oversight of the Department of Veterans Affairs' (VA) efforts to develop Community Care Networks, improve mental health and suicide prevention efforts, and reduce health inequities among veterans.

The Committee on Foreign Affairs will examine global health challenges, including efforts to address infectious disease outbreaks, the reauthorization of the President's Emergency Plan for AIDS Relief, and the impact of the Administration's reinstatement of the Global Gag Rule.

The Committee on Agriculture plans to review FDA's implementation of the Food Safety Modernization Act, the Committee on Financial Services will examine health hazards in the nation's public housing system, the Committee on Natural Resources will examine health disparities among indigenous peoples and the ongoing operation of the Indian Health Service, and the Committee on Small Business will examine ways to improve the provision of health care while reducing costs to small businesses.

Finally, the Committee on Oversight and Reform will investigate the actions of drug companies in raising prescription drug prices in the United States. In addition, the Committee will examine the need for expanded access to treatment and support services to address the opioid crisis. The Committee will examine actions by the Executive Branch that inhibit access to high-quality, affordable health care, including implementation of the ACA and the Medicaid program. The Committee also will examine the extent to

which communities of color, women, and the LGBTQ population are able to access the full continuum of health care services.

#### WAGES, JOBS, AND ECONOMIC PROSPERITY

During the 116th Congress, House committees will conduct rigorous oversight to examine ways to promote jobs, higher wages, and economic prosperity; review investments in infrastructure and innovation industries; and respond to challenges to workers' freedom to join together and negotiate strong worker protections.

The Committee on Transportation and Infrastructure plans to examine current and future infrastructure investments to bring the nation's crumbling transportation infrastructure to a state of good repair while examining new technologies and innovative mobility solutions to move people and goods more safely and efficiently. The Committee will conduct oversight to ensure that the Capital Investment Grant program is implemented consistent with Congress' intent. The Fixing America's Surface Transportation Act (FAST Act; P.L. 114–94) authorized \$2.3 billion for each of fiscal years 2016–2020, but recent presidential budget requests propose phasing out that program. The Committee will conduct oversight to ensure that America's airports remain safe and efficient to compete as global hubs of air commerce. The Committee will examine the need for continued investment in U.S. water-related infrastructure that: (1) prioritizes the creation of American jobs and the utilization of American-made products; (2) supports a healthy and sustainable economy and environment; and (3) protects public health and safety.

The Committee on Education and Labor plans to conduct oversight of Department of Labor (DOL) programs, policies, and enforcement practices and the impact on our nation's workers. The Committee will review federal government actions regarding overtime pay, workers' rights to retain tips, and child labor protections under the Fair Labor Standards Act. The Committee will conduct oversight to ensure that the National Labor Relations Board is fairly enforcing the National Labor Relations Act. The Committee will monitor the impact to retirement savers from the Fifth Circuit Court of Appeals' decision to vacate DOL's fiduciary rule. The Committee will also examine the costs and consequences to workers, retirees, businesses, and communities, as well as to the Pension Benefit Guaranty Corporation, if Congress does not address the multi-employer pension crisis.

The Committee on Financial Services plans to examine ways to expand access to mainstream financial services among traditionally underserved segments of the U.S. population. The Committee will evaluate consumer financial laws to ensure that they are meeting the evolving needs of the American people. The Committee will examine the health of the nation's housing finance system and the extent to which it is serving all creditworthy borrowers, especially among low and moderate income, minority, rural, and other underserved borrowers. The Committee will monitor the current state of consumer financial protection by assessing the adequacy of protections for all consumers.

The Committee on Small Business plans to investigate policies to encourage more participation in the labor market through initiatives that can be offered by small businesses, such as increased

minimum wages, paid sick leave, paid parental leave, and flexible work arrangements. The Committee will conduct oversight of Small Business Administration (SBA) programs, including examining the effectiveness of entrepreneurial development programs in creating jobs at startups and traditional firms and enhancing coordination among federal agencies in aiding entrepreneurs. The Committee will conduct oversight of federal agencies, including SBA, that provide capital to America's entrepreneurs. The Committee will monitor the effectiveness of capital access programs to generate jobs in small businesses, investigate whether lenders are meeting their goals to lend to small businesses and create jobs, and examine methods to enhance equity financing to meet the needs of small business borrowers.

The Committee on Oversight and Reform plans to focus on the current Administration's efforts to weaken collective bargaining rights and protections affecting federal workers. The Committee will seek to ensure that such efforts do not undermine the statutory right to bargain, the ability of employee unions to represent federal workers, or employee due process rights. The Committee will work to prevent the return of the current merit-based civil service to a patronage system.

#### CLIMATE CHANGE AND THE ENVIRONMENT

The standing committees of the House will conduct coordinated oversight on ways to protect the environment and to address the generational crisis posed by climate change. On January 9, 2019, the House made oversight of these issues a priority when, through House Resolution 6, the House authorized the establishment of a Select Committee on the Climate Crises with investigative jurisdiction to "study, make findings, and develop recommendations on policies, strategies, and innovations to achieve substantial and permanent reductions in pollution and other activities that contribute to the climate crisis." The standing committees of the House plan augment oversight of these issues.

The Committee on Energy and Commerce intends to examine the economic, environmental, and health effects of climate change, including disproportionate impacts on low income communities and other vulnerable populations. The Committee will identify opportunities for federal action to reduce negative impacts, create new businesses and jobs, and make communities safer and more resilient to changes already underway. The Committee anticipates assessing state funding programs and other efforts by agencies to ensure states and local communities have the resources needed to prepare for and respond to severe weather events and natural disasters. The Committee will review federal rulemakings and program implementation under the Clean Air Act, conduct oversight of environmental contamination and clean up, review drinking water risks and safety, examine the regulation of dangerous chemical substance, and conduct general oversight of Environmental Protection Agency (EPA) operations and management. The Committee also will review energy programs and policy, fuel efficiency standards, and federal actions related to nuclear waste.

The Committee on Natural Resources plans to examine the role of the federal government in facilitating the development of clean, renewable resources in the most appropriate places on public lands

and waters, consistent with other land management responsibilities and with an eye on federal actions that maximize economic opportunities and improve health and quality of life for areas facing climate disruption. The Committee will consider the role protected ecosystems play in helping preserve and protect ecosystems services, land use values, and functional ecosystems, all of which aid in climate change adaptation. The Committee will examine ways to mitigate the immediate catastrophic impacts of the changing climate on Insular Areas, which are especially vulnerable to climate change because of their small size, low elevation, remote geographical location, and concentration of infrastructure along coastlines.

The Committee on Science, Space and Technology plans to aggressively track emerging issues and scientific studies regarding global warming and climate science and elicit thoughtful science-based discussions on potential solutions and remedies to reduce Greenhouse Gas Emissions. This includes examining the role of federally funded research and innovative technology demonstration and development related to cutting-edge mitigation and adaptation strategies. The Committee will examine issues surrounding extreme weather events, including the science behind these hazards and how climate change has increased the frequency and severity of these events, improvements to forecasting and warning, and proposed methods to reduce their impact. The Committee also will investigate the scrubbing of references to climate change from federal agency websites.

The Committee on Foreign Affairs plans to examine the effectiveness of U.S. policy on climate change, including the Administration's announced intent to withdraw from the Paris Climate Accord and its impacts on our diplomatic relations, as well as the impacts of climate change on national security and its contributions to displacement and social unrest across the globe. The Committee also plans to conduct oversight on other environmental issues including wildlife trafficking, international conservation efforts, and the role and safety of environmental activists across the globe.

The Committee on Oversight and Reform intends to conduct oversight of government and nongovernment activities related to climate change and environmental protection. The Committee will explore the Executive Branch's role in global climate change mitigation efforts and examine the decision-making processes related to international agreements. The Committee will examine the practices of the private sector in addressing the anthropogenic causes of climate change, as well as mitigating its current and future effects. The Committee also will examine the Flint water crisis and the federal government's response to Hurricanes Irma and Maria in Puerto Rico and the U.S. Virgin Islands in 2017.

#### EXECUTIVE BRANCH ETHICS AND ANTI-CORRUPTION REFORMS

During the 116th Congress, House committees will conduct coordinated oversight to clean up corruption in government, fight secret money in politics, and make it easier for American citizens across this country to vote. Several committees share legislative jurisdiction over a landmark bill designed to address those issues—H.R. 1, the For the People Act—which is one of the boldest reform

packages to be considered in the history of the House of Representatives.<sup>8</sup>

The Committee on House Administration plans to review federal campaign finance laws and regulations and examine the operations of the Federal Election Commission and the Election Assistance Commission. The Committee also plans to examine the role and impact of political organizations on federal elections.

The Committee on the Judiciary plans to examine ways to enhance the ability of citizens to participate in federal elections by removing unnecessary barriers to access the polls, addressing voter suppression efforts, and other means to fully guarantee the right to vote for all eligible individuals. The Committee will conduct oversight on the influence of foreign governments, foreign corporations, and other foreign entities on the federal government, and review the adequacy of current law to prevent non-United States persons from making financial contributions to federal campaigns.

The Committee on Ways and Means plans to conduct oversight to examine legislative proposals and tax law related to Presidential and Vice-Presidential tax returns.

The Committee on Oversight and Reform will investigate specific allegations that Executive Branch officials are not acting in the best interest of American taxpayers, including by taking actions to benefit themselves, former employers, or former clients. The Committee will examine allegations that Executive Branch employees are violating ethics laws, regulations, and guidance.<sup>9</sup> The Committee will investigate reports that White House and other Administration officials are obstructing GAO and OIG investigations, failing to comply with government transparency laws, and retaliating against government whistleblowers.

### III. CONCLUSION

The oversight plans submitted by the standing House committees together form a coherent blueprint for Congress to address issues of concern to working families across the country. The Committee on Oversight and Reform will continue to work with the other House committees and the House leadership throughout the 116th Congress to promote effective congressional oversight. The oversight plans of all House committees follow.

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<sup>8</sup>*House Democrats' Big Democracy Reform Package is Good Policy, and Smart Politics*, Vox (Dec. 10, 2018) (online at [www.vox.com/polyarchy/2018/12/10/18134994/house-democrats-democracy-reform-package](http://www.vox.com/polyarchy/2018/12/10/18134994/house-democrats-democracy-reform-package)); Democracy Task Force, *Leading Grassroots Advocacy Organizations Endorse House Democrats' Once-In-A-Generation Reform Package* (Jan. 9, 2019) (online at [democracyreform-sarbanes.house.gov/newsroom/press-releases/leading-grassroots-advocacy-organizations-endorse-house-democrats-once-in-a](http://democracyreform-sarbanes.house.gov/newsroom/press-releases/leading-grassroots-advocacy-organizations-endorse-house-democrats-once-in-a)).

<sup>9</sup>*See, e.g., Wilbur Ross Scheduled Meetings with Chevron, Boeing Despite Conflicts of Interest*, Forbes (Oct. 25, 2018) (online at [www.forbes.com/sites/danalexander/2018/10/25/wilbur-ross-scheduled-meetings-with-chevron-boeing-despite-conflicts-of-interest/#30c51af94d0e](http://www.forbes.com/sites/danalexander/2018/10/25/wilbur-ross-scheduled-meetings-with-chevron-boeing-despite-conflicts-of-interest/#30c51af94d0e)).

## **COMMITTEE ON AGRICULTURE**

TO: The Elijah E. Cummings, Chairman, House Committee on Oversight and Reform, The Honorable Zoe Lofgren, Chairperson, Committee on House Administration

FROM: The Honorable Collin Peterson, Chairman, House Committee on Agriculture

DATE: March 1, 2019

SUBJECT: Oversight Plan for the House Committee on Agriculture for the 116th Congress

This oversight plan is filed pursuant to Rule X, clause 2(d)(1) of the Rules of the U.S. House of Representatives for the 116th Congress. This plan was prepared in consultation with the Ranking Member and was presented to the Members of the Committee, with proper notice, for their consideration.

While much of the work in the 116th Congress will focus on oversight of the implementation of the Agriculture Improvement Act of 2018, the Committee and its subcommittees expect to exercise appropriate oversight activity regarding the issues listed below. The Committee will also have a general focus on the condition of the farm economy and will conduct any other general oversight as necessary. The Committee will consult, as appropriate, with other committees of the House that may share subject matter interest.

### **116TH CONGRESS**

#### **OVERSIGHT PLAN**

The Committee expects to exercise appropriate oversight activity regarding the following issues:

##### **Biotechnology**

- Review implementation of biotechnology policies and authorities contained in the Agriculture Improvement Act of 2018;
- Evaluate USDA's efforts to develop and promote benefits of biotechnology for increasing agricultural productivity and combating hunger globally;
- Review USDA's implementation of biotechnology labeling standards; and
- Review the regulatory process for gene-edited plants and animals.

##### **Commodity Exchanges**

- Review the general operations of the Commodity Futures Trading Commission (CFTC) to provide a reauthorization of the Commission;

- Review enforcement and oversight policies and their implementation by the CFTC;
- Review rulemakings, guidance, and other actions taken by the Commission and its staff for consistency and compliance with the Commodity Exchange Act and Congressional intent;
- Review the impact of the 2013 lapse in authorization and the lapse in fiscal year 2019 appropriations on CFTC enforcement, oversight, and market surveillance functions;
- Review the impact of emerging financial technologies on commodity and derivatives markets, and examine the authority of the Commission to deter fraud and manipulation, promote market integrity, and protect investors in virtual commodity derivatives and at organized virtual commodity trading platforms; and
- Review international treatment of the U.S. derivatives industry, including market participants and infrastructure.

### **Conservation and Forestry**

- Review USDA's implementation of the conservation policies and authorities contained in the Agriculture Improvement Act of 2018;
- Review the effectiveness of farm bill conservation programs in addressing wildlife habitat, water quality/quantity, and promoting soil health;
- Review the interaction between conservation practices and risk management;
- Review USDA's realignment that resulted in the Farm Production and Conservation mission area, including its impact on programs, customers, and staff;
- Review current U.S. Forest Service (USFS) management and workforce challenges; and
- Review USFS's strategy for dealing with wildfire, including the effect of hazardous fuels management, forest health efforts, and fire preparedness.

### **Dairy**

- Review USDA's implementation of the dairy risk management provisions in the Agriculture Improvement Act of 2018; and
- Review milk pricing and dairy product purchase programs.

### **Energy**

- Review agriculture's role in a renewable energy economy;
- Review the implementation of the Renewable Fuel Standard and its impact on agriculture; and
- Review USDA's farm bill energy programs.

### **Farm Credit, Rural Development, and the Rural Economy**

- Review implementation of rural development policies and authorities contained in the Agriculture Improvement Act of 2018;
- Review the state of the farm economy;
- Review credit conditions and availability in rural America;
- Review the availability of mental health counseling and mediation services in rural areas;
- Review access to and success of rural development programs in persistent poverty areas;



- Review broadband delivery in rural America; and
- Review rural development loan and grant programs, including their role in combating opioid abuse and increasing medical care in rural areas.

### **Federal Crop Insurance and Risk Management**

- Review USDA's implementation of crop insurance provisions authorized in the Agriculture Improvement Act of 2018;
- Review the role and effectiveness of Federal crop insurance;
- Review the development and delivery of new crop insurance products for livestock, specialty crops, and dairy;
- Review the expansion and availability of Whole-Farm Revenue Protection; and
- Monitor the effectiveness of USDA's disaster programs.

### **Food Waste**

- Review USDA's implementation of food waste and loss reduction authorities in the Agriculture Improvement Act of 2018.

### **Foreign Agriculture/Trade**

- Monitor pending—and review existing—trade agreements and their impact on agriculture;
- Review USDA's trade promotion activities;
- Review the effectiveness of USDA's trade mitigation programs;
- Review the impacts of USDA food aid and development programs;
- Monitor agricultural export programs to determine how well they are promoting the interests of U.S. agriculture;
- Review the activities of the newly created office of the Undersecretary for Trade and Foreign Agricultural Affairs; and
- Review the impact of retaliatory tariffs on U.S. agricultural producers and agribusinesses.

### **General Farm Commodities**

- Review USDA's realignment that resulted in the Farm Production and Conservation mission area, including its impact on programs, customers, and staff;
- Review implementation of changes to the Price Loss Coverage program, Agriculture Risk Coverage program, and marketing assistance loans as enacted in the Agriculture Improvement Act of 2018; and
- Review USDA's enforcement of the Grain Standards Act and inspection activities.

### **Horticulture**

- Review USDA's implementation of horticulture related programs authorized in the Agriculture Improvement Act of 2018;
- Review the use of commodity checkoff programs;
- Review USDA's regulation of organic standards;
- Monitor USDA's programming as it relates to local food production and marketing; and
- Review the implementation of the Food Safety Modernization Act.

### **Livestock and Animals**

- Review USDA's implementation of livestock and animal related policies and authorities in the Agriculture Improvement Act of 2018;
- Review USDA's inspection of meat and poultry products;
- Review USDA's mandatory livestock price reporting system; and
- Review animal health threats and prevention and response capabilities.

### **Nutrition**

- Review USDA's implementation of nutrition programs and authorities in the Agriculture Improvement Act of 2018 (including provisions yet to be implemented from the Agricultural Act of 2014);
- Review the proposed rule regarding waivers of the time limit (and subsequently the work requirement) for able-bodied adults without dependents (ABAWDs) in the Supplemental Nutrition Assistance Program (SNAP);
- Review SNAP work pilots;
- Review the long-term impact of the lapse in fiscal year 2019 appropriations on state and local agencies as it pertains to operating federally-authorized nutrition programs;
- Review ongoing technological challenges regarding the delivery of SNAP benefits;
- Review the make-up and status of the ABAWD SNAP population;
- Review retailer operations;
- Review the process by which the 2020–2025 Dietary Guidelines for Americans will be decided; and
- Review SNAP quality control measures.

### **Outreach and Civil Rights**

- Review USDA's implementation of outreach and civil rights policies, programs and authorities authorized in the Agriculture Improvement Act of 2018;
- Monitor USDA's outreach efforts to beginning, small, and underserved farmers and ranchers; and
- Monitor USDA's outreach efforts to military veterans interested in careers in agriculture.

### **Regulations**

- Review the effect of regulatory activities carried out pursuant to the Endangered Species Act, or any proposed legislative changes to such Act, on agricultural producers and rural communities;
- Review the effect of regulatory activities by the Environmental Protection Agency (EPA) relative to the Federal Insecticide, Fungicide, and Rodenticide Act on agricultural producers and industry stakeholders;
- Review the designated representative provision within EPA's 2015 Worker Protection Standards to assure protection of both farm workers and producer interests;

- Review the effect of regulatory activities carried out by the EPA and the Department of the Army regarding the Waters of the United States; and
- Review USDA's regulatory activities related to gray wolves.

### **Research**

- Review USDA's implementation of research, education and extension programs authorized in the Agriculture Improvement Act of 2018;
- Review the proposed relocation of the National Institute of Food and Agriculture (NIFA) and the relocation/realignment of the Economic Research Service (ERS);
- Review access to and release of World Agricultural Supply and Demand Estimates;
- Review access to and release of World Agricultural Outlook Board meetings data;
- Review the effectiveness of data gathering at the National Agricultural Statistics Service (NASS);
- Review efforts to leverage Federal research investment with state, local, and private sources of funding; and
- Review the sufficiency of research funding under the Agricultural Research Service, ERS, NASS and NIFA.

### **Consultation With Other Committees**

- With Natural Resources on forestry issues, livestock predation, and aquaculture;
- With Science, Space and Technology on research;
- With Ways and Means and Education and Labor on nutrition programs;
- With Ways and Means on tax and trade issues;
- With Judiciary on immigrant agricultural labor;
- With Energy and Commerce on food safety, regulation of cell-cultured meat, and biomass energy;
- With Transportation and Infrastructure on certain Clean Water Act compliance issues, livestock hauling, and food aid delivery;
- With Financial Services on Dodd-Frank and emerging issues such as digital assets;
- With Foreign Affairs on food aid and trade issues;
- With Small Business on addressing economic opportunities for rural America; and
- Any other committee as appropriate.



# COMMITTEE ON ARMED SERVICES

## OVERSIGHT PLAN FOR THE 116TH CONGRESS

### U.S. HOUSE OF REPRESENTATIVES

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## INTRODUCTION

The oversight responsibilities of the Committee on Armed Services are conducted throughout the calendar year. They are instrumental in the committee's consideration of the annual defense authorization bill, which covers the breadth of the operations of the Department of Defense as well as the national security functions of the Department of Energy and other related areas. The annual national defense budget involves millions of military and civilian personnel, thousands of facilities, and hundreds of agencies, departments, and commands located throughout the world. The complexity of the current threat environment will continue to expand the range of topics requiring committee oversight including strategic, operational, and budgetary issues.

The committee has jurisdiction over laws, programs, and agencies under permanent authority in numerous titles of the United States Code, including title 10 (Armed Forces), title 32 (National Guard), title 37 (Pay and Allowances of the Uniformed Services), title 41 (Public Contracts), title 42 (Atomic Energy), title 46 (Shipping), and title 50 (War and National Defense).

The jurisdiction of the committee, pursuant to clause 1(c) of rule X of the Rules of the House of Representatives is as follows:

1. Ammunition depots; forts; arsenals; Army, Navy, and Air Force reservations and establishments.
2. Common defense generally.
3. Conservation, development, and use of naval petroleum and oil shale reserves.
4. The Department of Defense generally, including the Departments of the Army, Navy, and Air Force generally.
5. Interoceanic canals generally, including measures relating to the maintenance, operation, and administration of interoceanic canals.
6. Merchant Marine Academy, and State Merchant Marine Academies.
7. Military applications of nuclear energy.
8. Tactical intelligence and intelligence-related activities of the Department of Defense.
9. National security aspects of merchant marine, including financial assistance for the construction and operation of vessels, the maintenance of the U.S. shipbuilding and ship repair industrial base, cabotage, cargo preference, and merchant marine officers and seamen as these matters relate to national security.

10. Pay, promotion, retirement, and other benefits and privileges of members of the armed services.
11. Scientific research and development in support of the armed services.
12. Selective service.
13. Size and composition of the Army, Navy, Marine Corps, and Air Force.
14. Soldiers' and sailors' homes.
15. Strategic and critical materials necessary for the common defense.
16. Cemeteries administered by the Department of Defense.

In addition to its legislative jurisdiction and general oversight function, the committee has special oversight functions with respect to international arms control and disarmament and the education of military dependents in schools pursuant to clause 3(b) of rule X of the Rules of the House of Representatives.

#### OVERSIGHT AGENDA

The committee will continue its oversight and assessment of threats to U.S. national security as it considers the fiscal year 2020 and fiscal year 2021 defense budget requests. This effort will involve appropriate oversight hearings with the Secretary of Defense; the Chairman of the Joint Chiefs of Staff; the individual military service secretaries and chiefs of staff; combatant commanders; other officials of the Department of Defense and the military departments; officials from the intelligence community; and the Secretary of Energy, the Under Secretary for Nuclear Security, and other officials of the Department of Energy. In addition, the committee will invite the views and perspectives of outside experts in academia, industry, associations and advocacy organizations, and those in private life with expertise on these matters. Finally, the committee will continue its aggressive outreach program to seek the views and perspectives of service members and their families to include Active Duty, National Guard, and Reserve members across the United States and at deployed locations overseas.

The committee carries out its oversight of the Department of Defense and its subordinate departments and agencies as well as portions of the Department of Energy through activities involving the full committee and its standing subcommittees. The committee will continue to conduct robust oversight and investigations regarding matters within the jurisdiction of the committee. Certain issues and activities will require more extensive review. Investigatory work that may support the oversight responsibilities of standing subcommittees will be conducted in a coordinated manner. Each subcommittee will conduct oversight of the programs within its jurisdiction in accordance with the committee's rules and the Rules of the House of Representatives.

The oversight agenda below, unless otherwise noted, is designed to support the consideration by the committee and, ultimately, the House of Representatives of the annual defense authorization bill, as well as the committee's broader oversight responsibilities. The issues identified are expected to be ongoing areas of oversight activity throughout the 116th Congress. In addition, the committee will continue to pay attention to the mandates placed on executive

departments and agencies. In this context, pursuant to clause 2(d)(1) of rule X of the Rules of the House of Representatives, the committee will continue to emphasize the examination of relevant rules, regulations, statutes, and court decisions affecting the Department of Defense and the Department of Energy for their effects on efficiency and good management practices.

Given the unique nature of national security issues and related oversight of the Armed Forces, the committee believes that a qualifier is once again necessary with regard to the ability to plan comprehensively and predict all oversight activities. Much of the committee's most demanding oversight will be, by definition, event-driven and not subject to prior planning. Such events significantly complicate the ability to prescribe with great accuracy or specificity the committee's entire oversight agenda. For instance, the oversight of defense activities by the committee has historically involved in-depth assessments of military operations and other major events that are generally difficult to predict in advance, such as the recent operations in the Republic of Iraq and the Syrian Arab Republic to counter the Islamic State of Iraq and Syria, the war in the Islamic Republic of Afghanistan, and responses to catastrophic events. These reviews can dominate committee and staff resources, sometimes at the expense of other planned activities. The committee fully expects that this type of event-driven oversight will continue to be required.

The committee has a long tradition of translating oversight activities into legislative action. In general, the committee will continue to maintain a strong linkage between formal oversight efforts and legislative initiatives.

The committee has dedicated significant oversight to the examination of the implications of the Budget Control Act (BCA) of 2011 (Public Law 112-25) for national defense and defense sequestration. While past legislation has temporarily increased the BCA discretionary spending caps for fiscal years 2014 through 2019, absent another budget agreement, fiscal year 2020 will see a return to the BCA caps and defense sequestration. The committee continues to oppose the sequester of national defense funding and will continue to conduct oversight in the 116th Congress to highlight the consequences for the military, the defense industrial base, and national security.

In addition to the above, the following specific areas and subjects are identified for special attention during the 116th Congress.

#### POLICY ISSUES

##### NATIONAL DEFENSE STRATEGY, NATIONAL MILITARY STRATEGY, AND RELATED DEFENSE POLICY ISSUES

The committee will monitor how the Department of Defense addresses complex security demands through the formulation and implementation of the National Defense Strategy, the National Military Strategy, and other strategic guidance. The committee will evaluate how the Department identifies and prioritizes strategic objectives toward meeting those demands and how it applies resources toward achieving its prioritized objectives. The committee will conduct oversight to ensure that vital Department of Defense



capacities and functions, including readiness, doctrinal development, organization, training, education, exercises, materiel, leadership, personnel, facilities, and planning are appropriately aligned to support strategic requirements. In its oversight, the committee will take a comprehensive approach to evaluating the strategic risks confronting the United States and to assessing the factors that amplify strategic risks as well as the factors that reduce them. The committee will examine the assumptions inherent to the Department's strategic guidance and planning and with respect to balancing strategic risk and matching resources with strategic objectives. The committee will evaluate ongoing operational demands within the context of a broad strategic framework and whether those operational demands will affect the strategic risks associated with future challenges. The committee will also endeavor to reinforce the civil-military balance in the Department's formulation and implementation of strategy and national defense policy.

#### DETERRENCE

The committee recognizes that U.S. defense posture must effectively deter actors posing strategic challenges to the United States, its allies, and partners. In particular, the committee will focus on efforts to ensure that the United States, in concert with allies and partners, is properly postured to deter military threats and to counter efforts by such actors to weaken our shared values, undermine our systems of government, threaten international norms, and disrupt the cohesion of our alliances and partnerships.

The committee will continue to oversee the Department's global efforts to bolster military deterrence against Russian aggression. This will include oversight of a range of posture, force structure, and force readiness initiatives including the European Deterrence Initiative, Ukraine Security Assistance Initiative, and other efforts aimed at developing an effective, sustained deterrent posture against Russian hostility; measures to enhance cohesion of U.S. alliances and partnerships; and efforts to support the ability to respond to attempts to undermine U.S. values and democratic norms. At the same time, the committee will conduct oversight to ensure that concerns about strategic stability, miscalculation, and misunderstanding are properly accounted for as a component of deterrence against the Russian Federation.

The Government of the Islamic Republic of Iran continues to conduct destabilizing activities in the Middle East region that pose challenges to the United States, its allies, and partners. The committee will conduct oversight to determine how the Department plans to deter Iran's malign activities without escalating toward conflict and pursue a sustainable regional posture in accordance with the National Defense Strategy.

The People's Republic of China continues its efforts to assert influence, modernize its military, and take steps that erode security norms, increasing the risk of conflict, particularly in the South and East China Seas. The committee will continue to conduct oversight of the Department's response to China's efforts to extend its military reach and invest in its military forces. At the same time, the committee will continue to conduct oversight of the Department of Defense's military posture, force structure, and force readiness ef-

forts, and plans to enhance capabilities, forward presence, posture, and training and exercises to deter and counter acts of aggression and protect vital U.S. and ally and partner interests.

The Democratic People's Republic of Korea continues to pose a threat to the Korean Peninsula, the United States, U.S. forces, allies, and partners in East Asia. While North Korea has not conducted a nuclear test in more than a year, the intelligence community assesses that North Korea "is unlikely to give up all of its nuclear weapons and production capabilities, even as it seeks to negotiate partial denuclearization steps to obtain key US and international concessions." The intelligence community further assesses that U.S. allies and partners are responding to changing U.S. security policies by potentially seeking new bilateral and multilateral partnerships. As such, with respect to the Korean Peninsula, the committee will continue to oversee the Department of Defense's efforts to implement a range of posture, force structure, and force readiness initiatives; infrastructure and force realignments, including U.S.-Republic of Korea Special Measures Agreements consultations; and bilateral and multilateral training and exercises.

Alliances and partnerships are essential to advance U.S. national security objectives, promote global security, preserve regional stability, deter adversaries, uphold and strengthen shared values, and address common security challenges. The committee will conduct oversight of Department of Defense activities related to enduring alliances, such as the North Atlantic Treaty Organization, and other ongoing partnerships to ensure that they are supported and utilized in a manner that enhances these goals. The committee will continue to oversee and, where appropriate, encourage the Department of Defense's efforts to strengthen its partnerships and cooperative efforts to ensure global stability and security.

With regard to nuclear deterrence, the committee will continue to conduct oversight of nuclear deterrence policy and posture. This oversight will include examining the role of nuclear weapons and purpose of nuclear deterrence; options to reduce the risk of miscalculation that could lead to nuclear war in a crisis and reduce the risk of a nuclear arms race or a lowered threshold to nuclear weapons use; options to maintain credible nuclear extended deterrence; and the impact of proposed new nuclear weapons capabilities and policies on regional and strategic stability.

#### COUNTERING TERRORISM

Since the September 11, 2001 attacks, countering terrorism has been a central focus and mission of the Department of Defense. U.S. Armed Forces have deployed around the globe to confront al-Qaida, the Islamic State of Iraq and Syria (ISIS), and other terrorist groups. While these terrorist groups have been degraded, they have not been defeated.

The committee will conduct oversight, often in classified form, over terrorism issues. The committee will continue to monitor terrorism threats and examine counterterrorism policies, strategies, and operations, including by maintaining oversight of changes to those policies, strategies, and operations. The committee will also pay particular attention to the military force posture; special operations capabilities; intelligence, information operations, and cyber

capabilities; interagency coordination; role of allies and partners; and resources necessary to carry out an effective counterterrorism strategy.

The committee recognizes the need to counter the violent extremist ideology spread by al-Qaida, ISIS, and other terrorist groups, and that such challenges require a coordinated interagency and international approach. The committee plans to examine the role of the Department of Defense in addressing this challenge and how the Department engages with other U.S. departments and agencies and foreign partners.

The committee will conduct oversight of the Department's efforts to ensure ISIS affiliates and other terrorist groups do not threaten U.S. and partner interests in the Middle East, Africa, and Southeast Asia. The committee will continue to oversee the Department's efforts to engage multiple regional allies and partners of varying counterterrorism capabilities and assess the Department's regional approach.

The committee will maintain its oversight of the U.S. military's counterterrorism activities in the Republic of Yemen and the Saudi-led coalition efforts to counter Houthi rebels in the region, including any U.S. support to the coalition and compliance with the laws of armed conflict and other related international norms.

The committee will conduct oversight of U.S. detention operations and policy worldwide, including the executive branch's application of statute and relevant human rights standards, management of national security concerns, and handling of the military tribunals and detention facility located in Guantanamo Bay, Cuba.

Lastly, the committee will continue to examine the legal basis for the President's military actions against ISIS, other terrorist groups, and regional actors. The committee will examine the President's use of aspects of the 2001 Authorization for Use of Military Force (Public Law 107-40) and the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107-243) relevant to its jurisdiction.

#### *Operation Freedom's Sentinel*

The committee will continue to conduct oversight of the U.S. military effort in the Islamic Republic of Afghanistan with a focus on the Administration's South Asia Strategy and its ability to measure progress for accomplishing U.S. objectives in Afghanistan and the region. The committee will commensurately extend its related oversight activities on the U.S.-led Operation Freedom's Sentinel counterterrorism mission and the North Atlantic Treaty Organization Resolute Support Mission (NATO-RSM) train, advise, and assist mission. Additionally, the committee will examine the regional security environment focusing on the Islamic Republic of Pakistan, other neighboring countries, and the international community. Specifically, the committee is interested in the Department of Defense's activities to deny safe havens for the Taliban, al-Qaida, the Haqqani Network, the Islamic State of Iraq and Syria-Khorasan, and other extremist organizations; support for the Government of Afghanistan's security efforts; NATO and other troop contributing countries' support for NATO-RSM; and assessments of Russian influence and its possible impacts on Afghanistan's secu-

riety. The committee will provide oversight to other critical efforts in Afghanistan such as the authorities, activities, and resources allocated to counterterrorism and the development and sustainment of effective Afghan National Security Forces, and the safety and security of U.S. and allied forces. Finally, the committee will monitor the ongoing political situation in Afghanistan and whether a national government can effectively lead and secure Afghanistan.

#### *Operation Inherent Resolve*

The U.S. and coalition forces continue to conduct operations against the Islamic State of Iraq and Syria (ISIS) as part of Operation Inherent Resolve. The committee will continue to assess the sufficiency of authorities, resources, equipment, basing, and personnel to support the Operation Inherent Resolve missions and policy objectives. The committee will maintain congressional oversight of the Counter-ISIS Train and Equip programs and their effectiveness.

The committee recognizes that the security landscape in the Republic of Iraq and the Syrian Arab Republic continues to be complex and that the humanitarian crisis in those countries is dire. The committee will examine the presence and influence exerted by other actors in Syria, particularly the Russian Federation, the Islamic Republic of Iran, and the Republic of Turkey, and the implications for U.S. objectives regarding ISIS and regional security and stability. Furthermore, the committee will continue to examine the flow of foreign fighters to and from the region, and the linkages between ISIS and actors who conduct directed or inspired terrorist attacks in the U.S. and elsewhere. Additionally, the committee will monitor the political, economic, and social dynamics in both Iraq and Syria, which have, in part, fostered the context and political climate for ISIS to expand and grow. It will also monitor the stability of the countries in the region of Iraq and Syria and any growth or expansion of ISIS and continue to oversee the security assistance authorities and resources provided through the annual defense authorization act to address these challenges.

#### NUCLEAR NON-PROLIFERATION

The committee will continue to monitor the National Nuclear Security Administration Defense Nuclear Nonproliferation activities. The threat of nuclear weapons-grade material, technology, and know-how remains a threat to the United States, particularly in light of new technological developments that may complicate the cost and the ability to detect such activity. The committee will focus on U.S. capabilities related to detection of proliferation to ensure their sustainability, and international cooperation on safeguarding and reducing the use of nuclear-weapons grade materials. The spread of nuclear weapons and nuclear weapons-usable materials remain a grave threat to the United States, and as such, the committee is committed to ensuring oversight over these critical activities and leveraging new technologies and opportunities as they arise.

## EMERGING THREATS AND SECURITY COOPERATION

The United States faces a complex array of threats to national security in the political, economic, military, and social domains. State and non-state actors are increasingly leveraging rapid advances in technology to pose new and evolving threats, particularly in the realm of space, cyberspace, proliferation of weapons of mass destruction, high performance computing, and other emerging and disruptive technologies. Furthermore, threats to national security are no longer isolated to state or non-state actors. As identified by the intelligence community, infectious disease outbreaks and climate change threaten security and stability around the globe and have significant implications for U.S. national security as well as military operations.

The committee will conduct oversight of numerous cross-cutting Department of Defense activities central to addressing these emerging and unforeseen threats, including oversight of countering weapons of mass destruction programs, counterterrorism operations, humanitarian assistance operations, and security cooperation.

Further, the committee will conduct oversight of security cooperation and building partner capacity (BPC) programs in the 116th Congress. The National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328) contained comprehensive reform of the authorities, funding, programs, and oversight of security cooperation. The committee will monitor and evaluate the implementation of these security cooperation provisions to ensure that they are sufficient to meet requirements, properly executed, and consistent with national security objectives. The committee will also review and act upon additional reforms, as appropriate.

The committee will maintain oversight of the Department's activities in theaters where security cooperation is the primary means of achieving U.S. objectives, such as Africa and Central and South America. Additionally, the committee will continue to examine the Department's coordination within the interagency to ensure the range of the Department's activities occurring in Africa contribute to U.S. national security objectives. The committee will examine the issues affecting U.S. national security in Central and South America, including illicit trafficking and transnational organized crime. The committee is particularly concerned about instability in Central America.

## ORGANIZATION AND MANAGEMENT OF THE DEPARTMENT OF DEFENSE

The committee will review the organization of the Department of Defense and oversee its management to ensure that the Department can address complex security challenges. The committee will: carefully review organizational changes; work to enhance organizational performance and to promote efficient and cost-effective practices throughout the Department of Defense enterprise; work to enable specific Department of Defense mission sets and to ensure that they are optimally aligned within the Department's organizational structure; and apply strict managerial accountability standards to the Department's leadership. In overseeing the Depart-

ment's organization and management, the committee will endeavor to preserve and to enhance the Department's civil-military balance.

#### HOMELAND DEFENSE

The committee will conduct oversight of the missions and capabilities of U.S. Northern Command and the Department of Defense's Homeland Defense and Global Security directorate, and their evolution since inception. The committee will review and conduct oversight with regard to integration into response planning and exercises, as well as requests for support from other departments and agencies. The committee will also review Defense Support of Civil Authorities, and the recent policies and procedures the Department has established as well as the implementation of recommendations from historical and recent studies. Finally, the committee will review how the Department of Defense integrates and provides support to domestic crises response.

#### ACQUISITION

The committee will continue its ongoing effort to improve the agility of the Department of Defense acquisition system and the environment driving acquisition choices in the Department, industry, and Congress. Through its oversight function, the committee will monitor the efforts of the Department, and the Under Secretary of Defense for Acquisition and Sustainment, to implement recent statutory changes and recommendations of commissioned reports. The committee will also continue to push for accountability and integrity in contracting.

The committee remains concerned that the Department's current acquisition system is not sufficiently agile to support warfighter demands. Technological change has been rapidly generating new, and often unforeseeable, innovations that can improve the warfighter's capabilities. The defense acquisition system must respond to potential threats from global adversaries quickly and incorporate innovation seamlessly to reflect the jointness that the military has achieved at the operating level. The committee will continue to examine the United States export control regime and its effectiveness in preventing the transfer of sensitive military-related technologies to potential adversaries in coordination with the Committee on Foreign Affairs of the House of Representatives.

The committee will take a measured approach in addressing the lack of agility in the requirements, acquisition, budget, and oversight processes. Investments in innovation should be leveraged to support broader acquisition improvements and defense industrial base sustainment activities by appropriate integration and requirements maturation. The committee will focus oversight on the development of training, exercises, doctrine, tactics, and procedures for acquisition as tied to workforce development and retention for civilian and military acquisition personnel. The committee will examine and consider what policies are necessary to provide incentives to the industrial base for infrastructure improvements to improve efficiencies and increase participation in the Department's supply chain. This effort will be an iterative process embedded in the committee's regular work throughout the 116th Congress.

## FINANCIAL MANAGEMENT

The committee will continue to oversee military effectiveness and fiscal responsibility in a dynamic budgeting environment. Under the Budget Control Act of 2011 (Public Law 112–25), as modified by the Bipartisan Budget Act of 2018 (Public Law 115–23), the past 2 years have seen significant increases in national defense discretionary spending. Unless modified by further legislation, the cap for fiscal year 2020 defense discretionary funding will be more than \$70 billion below the level provided for in fiscal year 2019, and any funding in excess of that cap will be subject to sequester. The committee continues to oppose the sequester of national defense funding and will continue to conduct oversight in the 116th Congress in order to highlight the consequences of a sequester for the military, the defense industrial base, and national security.

The Comptroller General of the United States has consistently identified the Department of Defense’s financial management as a high-risk area since 1995. The Department of Defense has made some progress in modernizing its financial management capabilities, but arcane and obsolete financial management processes continue to fail to accurately track and account for billions of dollars and funding and tangible assets, which undermines confidence in the Department’s financial management systems and requires significant congressional oversight.

The committee will continue to review efforts to implement the Financial Improvement and Audit Readiness (FIAR) plan, as mandated by the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84). The Inspector General of the Department of Defense conducted the first agency-wide financial audit of the Department in fiscal year 2018, and it will continue to conduct such audits annually. The committee will continue to oversee the Department’s efforts to achieve an unmodified audit opinion, including corrective actions and process improvements.

The committee will monitor the interdependencies between the FIAR plan and the funds being spent on business systems modernization programs as the Department works to correct the weaknesses in its financial statements. Both the Department and Congress depend on the objective tools provided by proper financial management processes and statements in order to make informed decisions.

## READINESS

## MAINTENANCE AND TRAINING

Years of continuous overseas deployments left little opportunity for the Department of Defense to conduct essential maintenance on major assets and prioritize training for high-end threats. Congress provided infusions of resources in the previous 3 fiscal years to reverse this decline, and the committee will continue to monitor the effect of readiness funding on training and maintenance recovery goals. The committee will pay attention to: Navy shipyard maintenance availabilities; Army force generation and large-scale training exercises; Marine Corps amphibious training; and aircraft sustainment and training across the military services. The com-

mittee also recognizes the importance of training for the broad range of future missions the military may face, from gray-zone conflict to high-intensity conflict. The committee will conduct oversight of how the military services adapt training concepts, maintenance plans, and analytical tools to ensure personnel and equipment are adequately prepared to meet these threats. Finally, the committee notes the importance of prioritizing long-term readiness and believes long term readiness can best be achieved by adequately sustaining the Department's substantial investment in ships, aircraft, and combat vehicles. To that end, the committee will examine the Department's investments to support training and sustainment of existing weapons systems.

#### LOGISTICS

Survivable logistics is a key combat support area and a critical enabler underpinning U.S. military power, and the committee notes the importance of investing in a more secure and resilient logistics and transportation infrastructure. The committee will conduct oversight of the Department's efforts to: protect and sustain its prepositioned stocks; communications networks; and tanker, strategic airlift, and military sealift fleets. The committee will continue its oversight of the Defense Logistics Agency (DLA), the Department of Defense entity responsible for managing the global supply chain and providing goods and services in support of the total force. Specifically, the committee will continue to conduct oversight of the disposition of the equipment program and the DLA program that transfers excess equipment to law enforcement, to make certain these programs are executed appropriately and in compliance with the law. The committee will also carefully evaluate any proposed changes to the Department's logistical and transportation demands that would be imposed by priority contingencies identified in the National Defense Strategy. Finally, the committee notes the importance of conducting wargames and exercises that accurately reflect our competitors' growing ability to target U.S. strategic mobility assets as well as other threats to the joint logistics enterprise.

#### LIFE-CYCLE SUSTAINMENT

The committee will focus on reducing the total-ownership costs of weapons systems and equipment by ensuring the Department of Defense is considering life-cycle support and sustainment requirements when it develops acquisition strategies for each program.

The committee will also hold the Department accountable for improving its estimates of total weapon system life-cycle costs to better inform sustainment strategies, such as the cost effectiveness of acquiring technical data from original equipment manufacturers to allow future changes in sustainment path.

Finally, the committee will continue to monitor the military services' reset strategies to repair, recapitalize, and replace equipment used in ongoing operations, and will also monitor progress toward reconstitution of prepositioned stocks.



## ORGANIC INDUSTRIAL BASE

A vital component to maintaining warfighting readiness across multiple domains is the Department of Defense's organic industrial base. The arsenals, depots, air logistics complexes, and shipyards provide long-term sustainment through programmed maintenance as well as the critical capability to conduct repair and modernization upgrades as necessary. These facilities and their skilled workforce provide a national-level insurance policy against the unknown strategic operating environment. The committee is concerned about the future health of the organic industrial base during a period of fiscal uncertainty and increasing maintenance and sustainment requirements.

The committee will continue to conduct oversight on how the Department's organic industrial base is viably positioned for long-term sustainability and have the workforce, equipment, and facilities for efficient operations to meet the Nation's current and future requirements. This includes oversight of how the military services are planning to ensure workforce capabilities and skills support emerging requirements as well as how the military services are recruiting, training, and preparing to retain the future workforce.

The committee will conduct oversight into the use of new technologies such as additive manufacturing, robotics, and artificial intelligence as pathways to improve management of spares inventory and supply chain operations. The committee will continue oversight of depot, arsenal, and shipyard operations and management, the use of performance-based logistics, the role of public-private partnerships, and the military services' logistics enterprise resource planning systems.

The committee will continue its work to oversee carryover management at the depots and arsenals, its work to ensure capital investment continues at the depots, arsenals, and shipyards in order to maintain a level of modern capability sufficient to meet the needs of the Armed Forces. Furthermore, the committee will examine how previous efficiency and workforce optimization initiatives continue to impact depot, shipyard, and arsenal capability, how more recent steps to increase arsenal and depot visibility among program managers and program offices are working, and how well programs and plans designed to assure the availability of critical organic manufacturing capabilities are being executed.

## CIVILIAN PERSONNEL

The Federal civilian workforce of the Department of Defense plays a critical role in the readiness of our military forces. Recognizing this, the committee enacted several legislative initiatives in the 115th Congress to address the challenges confronting the workforce. Through its oversight activities in the 116th Congress, the committee will review implementation of these provisions to monitor compliance with congressional intent and determine whether additional legislation is necessary.

Providing the Department of Defense with the proper tools to invest in its workforce and ensuring that the Department has the people with the right skills to contribute effectively to the success of the Department's mission will remain a focus of the committee.

This will include oversight of the various tools provided to the Department to hire, retain, and train a qualified civilian workforce, such as the acquisition workforce fund.

Regarding civilian hiring, the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328), the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91) and the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) included direct hiring authorities for the Department of Defense to use for expediting hiring of Department of Defense civilians with certain skills. These skills include financial management experts, post-secondary students and recent graduates, cybersecurity positions, maintenance positions, and others. The committee will continue to conduct oversight of these authorities to ensure they are being used in compliance with current law.

The Department of Defense effective civilian workforce includes approximately 770,000 contracted and 700,000 Federal civilian employees who serve various functions worldwide. In the 116th Congress, the committee will continue to search for strategies to determine the contracted workforce’s costs to the taxpayer and monitor how the Department develops its workforce mix of Federal civilians, contractors and service members to meet mission and cost requirements.

#### PERSONNEL BACKGROUND INVESTIGATIONS

Since the timeliness of obtaining a security clearance became a concern, Congress included section 925 in the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91), which directed the Department of Defense to develop and begin executing a plan to transfer the background investigation and security clearance process for the Department of Defense from the Office of Personnel Management to the Department of Defense.

Given the importance of conducting security, suitability and credentialing background investigations for the Department of Defense personnel, and the fact that the Department has this responsibility, the committee will continue its oversight of this transition during the 116th Congress to ensure the transition occurs and clearances are investigated and adjudicated in a timelier fashion.

#### ENERGY AND ENVIRONMENT

Energy is a key readiness enabler for the Department of Defense. Energy resilient installations and increased efficiency enhance operational effectiveness of the military and improve our national security posture. Therefore, the committee will monitor the Department and military services’ efforts to address resiliency gaps and improve energy efficiency on military installations and for military operations.

In addition, the committee will conduct oversight of the Department and military services’ environmental management. The committee believes more attention is required to monitor the Department’s efforts to address the impacts of climate change on training and installation resilience. The committee will examine the Department’s efforts with respect to emerging contaminants including adherence to Federal, state, and local compliance requirements. The

committee will continue to provide oversight of the military services' efforts to remediate existing contamination both on and off Federal lands with particular attention paid to locations where contamination may be affecting local populations. Additionally, the committee will oversee Department efforts to leverage technological innovation and implementation of best practices to minimize adverse environmental impacts and thereby reduce future cleanup costs. The committee intends to continue to monitor activities of the Department to ensure that military training is in full compliance with applicable Federal, state, and local environmental laws.

#### MILITARY CONSTRUCTION, FACILITIES SUSTAINMENT, AND REAL PROPERTY MANAGEMENT

The committee will review the Department of Defense's military construction program to manage the overall capacity of the Department's infrastructure and to ensure prudent long-term military construction investments. The committee will also oversee the Department's investments in facility sustainment, restoration, and modernization, as well as the Department's utilization of new or more flexible authorities provided by the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91) and the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) related to facility investments.

The real property management process requires extensive oversight to maintain almost \$749.0 billion in infrastructure. The committee is concerned that inadequate asset visibility, poor requirements development, and project planning inefficiencies result in poorly coordinated investment decisions and sub-optimal facility construction. The committee will provide increased oversight of the Military Housing Privatization Initiative program particularly with respect to maintenance and sustainment of housing developments. The committee will seek to apply best practices across the Department of Defense in order to efficiently develop and maintain the military services' ranges, facilities, and infrastructure.

#### MILITARY PERSONNEL AND HEALTH CARE ISSUES

##### MILITARY MANPOWER AND FORCE STRUCTURE

During the 116th Congress, the committee will continue to assess the military's manpower requirements to meet its current and future global military commitments. Specifically, the committee will continue to provide aggressive oversight of military manpower levels, skill sets, and force structure to ensure they support the National Defense Strategy. During the 115th Congress, the end strength increased for each military service to meet demands and growth in specialized fields such as cyber, intelligence, pilots, and maintainers. In the 116th Congress, the committee will examine trends in overall total force structure requirements, end strength, recruiting, retention, morale, and benefits and compensation. The committee will continue its oversight of military recruiting, particularly the quality of the recruits needed to fulfill the increased end-strength requirements.

## MILITARY BENEFITS AND COMPENSATION

During the 116th Congress, the committee will scrutinize any proposals from the Department of Defense or other organizations calling for any changes to military compensation and other benefit programs. Any such proposals must ensure they are thoroughly assessed with respect to their positive or negative impacts to the All-Volunteer Force. Specifically, the expected Department of Defense proposals to reform the Reserve Component call-up duty status authorities will overhaul the way a Reserve Component service member is activated. The committee's oversight in this area will concentrate on the proper implementation of the new authorities to ensure that the pay and benefits for Reserve Component members are not adversely affected.

## MILITARY HEALTH SYSTEM

During the 116th Congress, the committee will continue its oversight of military health policies of the Department of Defense. The Department will be charged with both supporting the readiness requirements of the warfighter and delivering a robust military health benefit, all while creating efficiencies and implementing cost savings initiatives that may alter the composition of the existing Military Health System. The committee will examine military medical manning requirements, TRICARE benefit delivery, wounded warrior programs, resiliency, opioid policy, and ongoing reform efforts that are transitioning Military Treatment Facilities and other organizational structures from the military service departments to the Defense Health Agency. The committee will also continue to monitor the implementation of the Genesis Electronic Health Record, as well as other health-related collaborations between the Department of Defense and Department of Veterans Affairs. Finally, the committee will seek a better understanding of environmental health challenges that may be related to burn pits, mold, lead paint, contaminated water, and other potential exposure issues.

## MILITARY PERSONNEL POLICY

During the 116th Congress, the personnel policies of the Department of Defense will remain under considerable scrutiny as the military services compete to recruit, manage, and retain the best and brightest men and women. The committee will continue to give close examination to proposals from the Department of Defense and other organizations calling for any major changes to personnel policies including recruiting, promotions, career paths, or changes to military retention and other policy programs in order to assess the impact of any proposed changes on the viability of the All-Volunteer Force.

## UNIFORM CODE OF MILITARY JUSTICE

The committee will continue to provide oversight of military justice, as well as the implementation of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328) comprehensive overhaul of the Uniform Code of Military Justice, which took effect January 1, 2019. The committee will also continue its robust

oversight of the Department of Defense's sexual assault prevention and response programs with a focus on implementation of best practices for prevention programs.

#### MILITARY FAMILY READINESS

During the 116th Congress, the committee will continue to focus on the support provided to families of service members, particularly during deployments. The committee will assess the methods used by the military services to identify the needs of military families and to identify the programs and policies that can be implemented or modified to improve their quality of life. As Armed Forces end strength continues to grow, the committee will examine the Department of Defense and military service family support programs to ensure the programs are adequately resourced to support an increase in family members. In addition, the committee will continue its oversight on the quality and availability of services at Department of Defense child development centers.

#### MORALE, WELFARE AND RECREATION PROGRAMS AND MILITARY RESALE PROGRAMS

The committee believes the cost-efficient sustainment of Morale, Welfare, and Recreation (MWR) and military resale programs (commissaries and exchanges) is required to protect quality of life in military communities. The committee will provide oversight efforts directed toward that end in conjunction with major reforms, begun in the 114th Congress, to ensure the viability of these programs.

Additionally, the committee believes that MWR and military resale programs must remain competitive with private sector entities to ensure that service members and their families benefit fully from these programs. The committee will monitor current practices and policies to ensure that MWR and military resale programs are employing the full range of strategies available to private sector competitors to inform authorized patrons about the benefits associated with these programs and encourage their participation. Finally, the committee will monitor and oversee the changes required by the commissary reform plan with an emphasis on maintaining this valuable benefit without interruption.

#### PRISONER OF WAR AND MISSING IN ACTION

During the 116th Congress, the committee will continue oversight of the Department of Defense's Prisoner of War/Missing in Action activities. Specifically, the committee will focus on the operations of the Defense Personnel Accounting Agency to ensure they are meeting the requirement that the accounting effort achieve at least 200 identifications annually.

#### ARLINGTON NATIONAL CEMETERY

The committee will continue its oversight from the 115th Congress of Arlington National Cemetery. The John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232) directed the Secretary of the Army to establish revised eligibility criteria for interment at Arlington National Cemetery to ensure that the cemetery remains an active burial ground well into

the future. The Secretary of the Army is required to establish the revised criteria not later than September 30, 2019.

## MODERNIZATION AND INVESTMENT ISSUES

### OVERVIEW

During the 116th Congress, the committee will conduct oversight of military equipment modernization strategies and programs and assess the effectiveness of those strategies to mitigate threats in the near-term and long-term from near-peer and peer competitors. The committee's efforts will continue to focus on full-spectrum, combat-effective lethality through near-term modernization efforts that utilize acquisition reform initiatives to better streamline the development and fielding of solutions to the warfighter in a timely and efficient manner. The committee will devote attention to the military service's implementation and utilization of new, innovative agile acquisition reform authorities to recapitalize, upgrade, or enhance the performance of current and future combat systems. Concurrently, the committee will conduct oversight on the military services' ability to aggressively control development and procurement costs, implement reasonable, executable and accountable sustainment strategies that preserve system affordability, as well as manage strategic risk in critical areas of the U.S. defense industrial base.

The committee, through diligent oversight and legislative action, will implement actions and provide resources to help mitigate cost growth and schedule delays of modernization programs. The committee will assess the need for legislative action, if required, by: late determination of programmatic requirements; unjustified requirements growth and failure to properly mitigate requirements changes; insufficient analyses of alternatives; concurrency in test and evaluation master plans; military services proceeding prematurely with development of immature technology; poor cost estimating; inadequate funding profiles; over-estimation of potential production rates; program instability; and, improper use of new and agile acquisition reform authorities.

### ARMORED VEHICLE MODERNIZATION

The committee will focus on oversight of the Army and Marine Corps' evolving plans to improve the capability and extend the operating lives of its current heavy and medium-weight armored combat vehicles, as well as lay the foundation for successful development, production, and timely fielding of its next generation of these systems. The committee will specifically monitor management of these programs: M1 Abrams tank, the M2 Bradley Fighting Vehicles, the family of Stryker Combat Vehicles, the family of Amphibious Combat Vehicles, the Light Armored Vehicle, the M109A7 Paladin Integrated Management, the Armored Multipurpose Vehicle, the Army's mobile protected firepower, and Active Protection Systems for combat vehicles.

### TACTICAL WHEELED VEHICLES

The committee will focus on oversight of the Army and Marine Corps' sustainment of their current and future tactical wheeled ve-

hicle (TWV) fleets, including their families of light, medium, and heavy TWVs and the family of Mine Resistant Ambush Protected Vehicles. The committee will specifically oversee management of these programs: Family of Medium Tactical Vehicles, Heavy Expanded Mobility Tactical Truck, Joint Light Tactical Vehicle, Ground Mobility Vehicle, and High Mobility Multipurpose Wheeled Vehicle.

#### ROTORCRAFT PROGRAMS

The committee will focus oversight efforts on rotorcraft modernization, force structure, and readiness, with an emphasis on how the military services are balancing their plans to accelerate development of next generation rotorcraft platforms with current requirements to upgrade current legacy rotorcraft platforms. Program areas of oversight interest for the committee will focus on, but not be limited to, the following rotorcraft programs: UH-60 Black Hawk utility rotorcraft, AH-64 Apache Attack rotorcraft, CH-47 Chinook heavy lift rotorcraft, UH-1 Huey utility helicopters, AH-1 attack rotorcraft, the CH-53K heavy lift rotorcraft program, the UH-1N utility helicopter replacement program, Combat Rescue Helicopter, the TH-XX trainer helicopter replacement program, and the Future Vertical Lift (FVL) development program.

The committee will also focus oversight efforts on the need for advanced aircraft survivability equipment upgrades to provide warning and protection against evolving threats, as well as monitor the Improved Turbine Engine program designed to improve lift capability on the AH-64, UH-60, and FVL platforms.

#### COMMUNICATIONS AND NETWORK PROGRAMS

The committee will continue to devote attention to oversight of the research, development, and procurement of tactical battlefield communications networks. Specifically, the committee will conduct oversight of the Army's plans for future battlefield network research and development programs, the Army's Tactical Network Modernization roadmap, and efforts on the incremental development and fielding of the Integrated Tactical Network and other tactical radio programs.

#### INDIVIDUAL SOLDIER AND MARINE EQUIPMENT

The committee will continue to devote attention to the oversight of research, development, and procurement of soldier and marine individual equipment, as well as other complementary personal protective equipment programs. Focus areas will continue to include, but are not limited to: advances in weight reduction ("lightening the load") in individual equipment; development and procurement of the Enhanced Night Vision Goggle-Binocular; small arms and small caliber ammunition modernization with particular emphasis on the Army's next generation combat weapon; procurement and fielding of enhanced performance small caliber rounds; improved combat helmets to help mitigate traumatic brain injury; and the development and fielding of the Integrated Visual Augmentation System.

## FIXED-WING TACTICAL AND TRAINING AIRCRAFT

During the 116th Congress, the committee will continue oversight efforts on the size, composition, capability, and capacity of the Department of Defense's tactical and training aircraft force structure. The committee will continue to engage the Department to understand its aircraft force-mix strategy and composition regarding procurement of 5th and 6th generation tactical aircraft to replace legacy tactical aircraft to ensure that mission areas related to air superiority, interdiction, and kinetic support to ground forces maintain combat effectiveness requirements. The committee will engage with the Air Force, Navy, and Marine Corps to understand the strategies to mitigate any potential tactical aircraft inventory shortfalls that would impact the Department's ability to meet the tenets and implementation of the National Defense Strategy. The committee will monitor the Department's efforts to improve capabilities and reliability among the legacy fleet of aircraft to maintain, and where necessary, gain sufficient force-structure capacity and lethality that complements next-generation aircraft. The committee will continue to monitor the impact on aviation readiness related to procurement of initial spare or repaired parts and supplies.

During the 116th Congress, the committee will continue oversight of the F-35 program, particularly with regard to affordability issues and concerns related to program life-cycle cost, production and fielding schedules, aircraft and support system performance, and sustainment strategy planning and execution. The committee will also focus efforts on the F-35's performance during the Initial Operational Test and Evaluation phase, Block 4 software development, and the follow-on modernization program known as Continuous Capability Development and Delivery. The committee's area of focus on the F-35 will include but not be limited to production efficiency, software development and testing related to the operational flight program and mission data files, addressing F135 engine problems, the Autonomic Logistics Information System development, fielding and integration into operational F-35 units, depot stand-up, and supply chain management required to support concurrent production and operational maintenance and sustainment requirements.

In addition, the committee will have particular interest in any acquisition strategies related to the experimentation effort of the Air Force's Light Attack and Armed Reconnaissance platform. The committee will also continue to monitor Air Force and Navy execution of efforts for mitigating physiological episodes that were experienced by pilots operating certain tactical and training aircraft.

## TACTICAL MISSILES AND MUNITIONS

During the 116th Congress, the committee will continue to engage with the Department of Defense to understand testing and war-reserve material requirements and subsequent production strategies to support and maintain sufficient inventories of conventional missiles and munitions at an acceptable risk level. The committee will also focus its attention on the Department's identification, assessment, and strategies for management of risk in the associated defense industrial base and issues related to diminishing



manufacturing sources, obsolescence issues, sole-source supply of components and major sub-systems, and production capabilities needed to support both annual production and surge requirements when necessary. The committee will monitor the stability and predictability of the Department's near and long-term budget planning and execution to control cost and reduce uncertainty in the industrial base.

In particular, the committee will focus on the following missile and ammunition programs: high-energy lasers, Maneuver Short Range Air Defense, Indirect Fire Protection Capability, Iron Dome, Long-Range Precision Fires missile, Advanced Precision Kill Weapon System, Joint Air-to-Ground missile, the Army Tactical Missile System, and all weapons employed from fixed-wing tactical aircraft of the military services.

#### BOMBER FORCE STRUCTURE

During the 116th Congress, the committee anticipates that the Air Force will continue to propose significant investments for engineering, manufacturing, and development of the B-21A Raider long-range strike bomber aircraft. While many details regarding the specific requirements and capabilities of the new bomber remain classified, the committee will maintain oversight of the new bomber acquisition program to ensure that the Air Force develops an affordable aircraft to timely meet future requirements and partially recapitalize the long-range strike bomber fleet.

As Global Strike Command's bomber vector plan continues to develop, the committee will monitor how the Air Force chooses to invest and modernize its current fleet of bombers to ensure they can continue to effectively respond to current and future threats. Furthermore, the committee will continue to assess the bomber fleet's ability to comply with the Federal Aviation Administration's January 1, 2020, Next Generation Air Space Control mandate.

#### AERIAL REFUELING AIRCRAFT

During the 116th Congress, the committee will review the Air Force aerial refueling aircraft modernization and recapitalization programs, along with the Navy's nascent refueling capability associated with the MQ-25 program.

Currently, the Air Force requires 479 air refueling tankers to meet the National Military Strategy but only possesses 395 KC-135 and 59 KC-10 tankers for a total of 454 tankers. The addition of KC-46A aircraft will eventually grow the tanker force to 479 aircraft. Subsequently, the Air Force plans to replace its older tankers one-for-one with the planned 179 KC-46A aircraft. The remaining 300 KC-135 aircraft will need to be modernized. The committee will also monitor how the Air Force plans to conduct operations in a future contested airspace.

The committee will also review the MQ-25 program as the Navy seeks to develop an unmanned aerial vehicle that provides air-refueling and intelligence, surveillance, and reconnaissance capabilities. The committee is concerned about limiting the scope of the MQ-25 to relieve the tanking burden borne by the F-18 fleet and to provide a modest level of additional ISR capability. The com-

mittee will also monitor the possibility to add additional capabilities to the MQ-25 should the Navy chooses to pursue them.

#### AIRLIFT PROGRAMS

During the 116th Congress, the committee will continue to assess the risk in the Air Force's current plan to maintain the intratheater airlift aircraft inventory of 300 total aircraft. As such, the committee will assess the force structure results of the Mobility Capability Requirements Study that was required by the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91). While pleased with Air Force efforts to modernize Air National Guard and Reserve C-130H aircraft with Avionics Modernization Program increments 1 and 2, propulsion and propeller upgrades, the committee will continue to review the C-130H modernization program to ensure it is capable of meeting airlift requirements. The committee is committed in supporting technologies that increase capabilities, increase reliability and decrease overall life cycle costs.

Regarding strategic airlift aircraft capabilities, the committee will continue to provide oversight of the C-5 and C-17 modernization programs. With regard to the C-5, the committee will assess options associated with the Reliability Enhancement and Re-engine Program.

The committee will continue oversight of all airlift aircraft inventories and capabilities during the 116th Congress to ensure that a robust and effective fleet of airlift aircraft is maintained to meet mobility airlift requirements of the Department of Defense.

#### SURFACE WARFARE PROGRAMS

The Department of the Navy must expand the core capabilities of U.S. seapower to achieve a blend of peacetime engagement and major combat operations capabilities as part of the Navy's 355-ship requirement. In pursuing this goal, the committee will provide oversight of the composition, capacity, and capabilities of the surface fleet. The committee will also assess the large and small surface combatant requirements to ensure oversight of the force structure and the associated weapons and sensors employed on the surface force with a specific emphasis on Frigate capabilities. The committee will continue to conduct oversight of the Littoral Combat Ship and the sensors that will be fielded as part of the mission modules. Further oversight of the amphibious forces will also be pursued to include amphibious assault in a contested environment, integration of advanced data capabilities and the amphibious assault connectors. The committee will continue its oversight of the DDG-51 Arleigh Burke class Destroyer program and will follow the transition to the Flight III variant that will incorporate the new air and missile defense radar. The committee will also monitor the requirements associated with the new large surface combatant that the Navy indicates will be fielded in fiscal year 2023. In addition to the manned platforms, the committee will review options for the Navy to augment the surface force structure with both unmanned and optionally manned platforms. Finally, the committee will review the combat logistics forces and the Maritime Security Program to ensure sufficient capacity is available to support national security objectives.

As part of this oversight, the committee will continue to place a significant emphasis on improving affordability in shipbuilding programs through: ensuring stable requirements; the use of acquisition best practices; stability within the overall program; increased reliance on common systems and open architecture; and industrial base capacity, process, and facility improvements at the shipyards.

#### UNDERSEA WARFARE PROGRAMS

The ability to operate freely at sea is one of the most important enablers of joint and interagency operations, and sea control requires capabilities in all aspects of the maritime domain. There are many challenges to our ability to exercise sea control, perhaps none as significant as the growing number of nations operating submarines, both advanced diesel-electric and nuclear propelled. Exercising sea control in the undersea domain is essential to maintaining the freedom of navigation in support of U.S. maritime interests. The committee will continue to review the undersea domain to ensure warfare dominance. Specifically, the committee will review short- and long-term options to reverse the decline in the attack submarine force structure as well as options to augment the undersea fleet with unmanned underwater vehicles. The committee will also assess whether sufficient resources and technological maturity are available for the recapitalization of the ballistic missile submarine force. Additionally, the committee will closely monitor the development of the requirements associated with the follow-on attack submarine to the Virginia class. Finally, the committee will assess the weapons and sensors employed in the undersea domain to retain maritime dominance, to include the capacity and capabilities of unmanned undersea vehicles.

As part of this oversight, the committee will place specific emphasis on the efficacy of multi-year procurement, rigorous assessment of requirements, and management of an expanding undersea industrial base capacity.

#### MILITARY INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE PROGRAMS

The committee will focus oversight activities on cost, schedule, and performance outcomes of tactical manned and unmanned aerial (UAS) intelligence, surveillance, and reconnaissance (ISR) systems. The committee will examine the entire ISR enterprise for balance in inventory, satisfaction of military collection requirements, timeliness and redundancy of dissemination architecture, and modernization of analysis and exploitation capabilities for video and imagery. The committee will also scrutinize the Department of Defense's ISR policy development and implementation.

In particular, the committee will evaluate the Department of Defense's long-term ISR architecture modernization and next-generation acquisition strategy, the supporting analysis behind programmatic decisions, and the management of risk across ISR collection capabilities and capacities, and the corresponding resources to process, exploit, and disseminate raw data and finished analysis. The committee will monitor improvements made to ISR transmission and down-link architecture that provide rapid delivery of

collected information supporting timely and effective defense operations.

The committee's oversight efforts will focus on, but not be limited to, the following ISR programs: RQ-4 Global Hawk UAS Block 30 and Block 40, MQ-9 Reaper UAS, MQ-1C Gray Eagle UAS, MQ-4C Triton UAS, MQ-8 Fire Scout, MQ-25 Stingray, Marine Air Ground Task Force UAS Expeditionary, and U-2 aircraft.

#### NUCLEAR FORCES

The committee oversees the atomic energy defense activities of the Department of Energy and nuclear policies and programs of the Department of Defense to ensure the safety, security, reliability, and credibility of the U.S. nuclear deterrent. The committee will ensure that we maintain a safe, secure, and reliable nuclear arsenal to address current and future threats. The committee will conduct oversight of the Department of Energy and the Department of Defense's nuclear modernization and sustainment plans, including programs and policies included in the 2018 Nuclear Posture Review.

In particular, the committee will oversee funding levels and requirements for the nuclear deterrence mission and nuclear enterprise, including relevant nuclear delivery platforms and their associated warheads to ensure resources are provided and allocated effectively and efficiently across Department of Energy and Department of Defense. With regard to the Department of Defense, the committee will emphasize oversight of major acquisition programs that will recapitalize U.S. nuclear forces and the supporting complex for decades into the future, including but not limited to the Ground-based Strategic Deterrent system, the Long-Range Standoff cruise missile, and missiles associated with the new Columbia-class submarine. The committee will also place particular emphasis on investments in nuclear enterprise programs that fall under the purview of the Department of Energy, including but not limited to infrastructure investments, warhead life extension programs, stockpile stewardship programs, stockpile management programs, cost savings and efficiency initiatives, safety and security, and progress on the nuclear clean-up activities.

In addition, the committee will continue oversight of the nuclear command and control programs that underpin a reliable nuclear deterrent.

Alongside overseeing and authorizing U.S. nuclear enterprise programs, the committee will also monitor foreign nuclear weapon development and modernization programs. In addition to these programs, the committee will provide oversight of the U.S. nuclear policy and posture, extended deterrence policy, arms control activities, and nuclear force structure requirements. Particular emphasis will be placed on oversight of nuclear weapon employment and declaratory policies, force structure, arms control agreements, and modernization plans.

#### MISSILE DEFENSE

The committee oversees the Department of Defense's efforts to develop, test, and field layered missile defense capabilities to pro-

tect the United States, its deployed forces, and allies and partners against missile threats.

The committee will continue to place emphasis on cost-effective and reliable missile defenses that contribute to strategic stability. The committee will continue to oversee U.S. homeland missile defense development, European Phased Adaptive Approach implementation, developmental and operational testing, cyber security to protect BMDS data, force structure and inventory requirements, continued integration of “left-of-launch” capabilities, and science and technology investments (in areas such as boost-phase intercept, space sensor layer, and continuous improvements to discrimination). The committee will also monitor progress of the Department of Defense Conventional Prompt Strike program as a potential “left-of-launch” capability and related policies that minimize the risk of ambiguity.

The committee will oversee implementation of the 2019 Missile Defense Review by the Department of Defense and opportunities to strengthen international missile defense cooperation with allies and partners to defend against ballistic and cruise missiles.

The committee will continue to provide oversight of the roles, responsibilities, and acquisition policies of the Missile Defense Agency and military services as they relate to missile defense.

The committee also intends to continue overseeing the Army’s Lower Tier Air and Missile Defense System modernization efforts, including the Patriot weapon system, the Lower Tier Air and Missile Defense Sensor (as that program transitions to a rapid prototyping effort), and efforts to improve interoperability of Army and Ballistic Missile Defense System capabilities.

#### NATIONAL SECURITY SPACE

The committee oversees the national security space policies and programs of the Department of Defense, including combat support agencies and elements of the Department of Defense that are also part of the intelligence community. The committee will place attention on current and projected foreign space threats and development of effective deterrence policies for space. The committee will also assess the Department’s space security and defense programs to include space situational awareness, space protection, space control, resilience, operationally responsive space activities including capabilities for rapid constellation reconstitution and replenishment, and use of commercial capabilities and international cooperation.

The committee will also focus on improving the organization and management of the Department’s space program, and related policies, to posture the military to maintain our space advantage, address new threats in space, elevate the focus within the Department on space as a warfighting domain, and create a culture that recognizes the importance of space for national security.

The committee will continue oversight of national security space activities in support of warfighter operations and plans; improvement of space acquisition strategies that provide necessary warfighter capability, while reducing cost and technical risk and supporting the industrial base; maintaining cost-effective and competitive assured access to space; efforts to address gaps in space ca-

pabilities for key warfighter needs; investments in science and technology to improve the capabilities of space systems; efforts to appropriately leverage commercial space capabilities; improvements of the synchronization between satellite, ground, and terminal acquisition programs; and efforts that develop and sustain an expert space workforce.

## INTELLIGENCE AND EMERGING THREATS AND CAPABILITIES

### INTELLIGENCE

The committee will examine the organization, functions, and operations of the Defense Intelligence Enterprise to ensure comprehensive, timely, and objective intelligence support to Department of Defense plans and operations. The committee will provide oversight into the formulation and execution of the military intelligence program. In accordance with section 3038 of title 50, United States Code, the committee will also scrutinize the management and execution of national intelligence program capabilities within Department activities to ensure these resources are adequate to satisfy the overall intelligence needs of the Department, and appropriately integrated with the intelligence activities of the Department.

The committee will examine how the Defense Intelligence Enterprise is postured to analyze and address new and trending threats, while balancing intelligence support to established National Defense Strategy priority challenges with ongoing counterterrorism operations. The committee will focus on current and planned modernization activities, inclusive of developments in machine learning and artificial intelligence, across the Defense Intelligence Enterprise and intelligence community as a means to create current, informed foundational intelligence to support military operations and advanced weapons systems. The committee will continue to study the ongoing activities by Office of the Under Secretary of Defense for Intelligence (OUSD(I)) to balance roles and responsibilities of combat support agencies.

Additionally, the committee will examine the roles and responsibilities of the OUSD(I), Director for Security Service in the development of an efficient, effective process to enable timely and comprehensive issuance of security clearances.

Finally, the committee will conduct oversight of all intelligence organizations, programs, and activities of the Department of Defense in accordance with the committee's jurisdiction listed in clause 1(c) of rule X of the Rules of the House of Representatives. In coordination with the committee, the Subcommittee on Intelligence and Emerging Threats and Capabilities will continue to coordinate as appropriate with the House Permanent Select Committee on Intelligence on matters related to Department of Defense intelligence and counterintelligence activities in the course of oversight and the authorization of appropriations for intelligence activities shared by the two committees.

### SCIENCE AND TECHNOLOGY

The committee will ensure the Department of Defense fosters a robust and balanced science and technology ecosystem comprised of

laboratories, test and evaluation entities, academia, and the private sector in order to deliver the best capabilities to the warfighter in the near, mid, and long-term. Specifically, the committee will conduct oversight of the Department's science and technology activities to ensure planning and execution of investments are aligned with national strategies and other interagency efforts to maintain technological superiority. This includes examination of the Department's efforts relating to the eight rapid technological advancements outlined in the National Defense Strategy: advanced computing; "big data" analytics; artificial intelligence; autonomy; robotics; directed energy; hypersonics; and biotechnology. Further, the committee will conduct oversight of science and technology investments in countermeasures to adversary capabilities and other emerging threats, such as infectious disease and demographic changes.

The committee will also examine science and technology strategy and doctrine, concepts of employment, and other organizing concepts pursued by the military services and the Office of the Secretary of Defense. This includes: examination of how capabilities contribute to new security strategies; how they will be supported by rigorous technical analysis and relevant concepts of employment; and how the Department will develop plans to transition matured technologies to the field. The Subcommittee on Intelligence and Emerging Threats and Capabilities will continue to oversee performance of the Defense Advanced Research Projects Agency, Defense Innovation Unit, and Strategic Capabilities Office, as well as other service-specific innovation centers and partnerships with private industry to ensure coordination, synchronization, transition of technology, and prudent use of fiscal resources.

#### MILITARY OPERATIONS IN CYBERSPACE

Military operations in cyberspace have become increasingly important as state and non-state actors seek to exploit the information environment to achieve political, military, and economic objectives. Cyber operations by threat actors below the level of conflict, such as Russian cyber intrusions to undermine democratic institutions or exfiltration of controlled unclassified information from the defense industrial base by the People's Republic of China, pose a dynamic challenge to U.S. national security. It is anticipated that non-state actors and strategic competitors will increasingly build and integrate cyber espionage, attack, and influence capabilities into their efforts to influence U.S. policies and advance their own national security interests. Therefore, the Department of Defense, when appropriate, must be prepared to address cyber threats across the spectrum of operations and in all types of conflict.

The committee will conduct oversight of cyber operations to ensure that the proper legal and policy frameworks are in place and adhered to. The committee will also scrutinize military cyber operations, specifically those operations executed under National Security Presidential Memoranda 13 and other relevant memoranda, as well as associated presidential determinations and directives. The committee will ensure that military operations are properly coordinated and deconflicted with the interagency, integrated into combatant commanders' operational plans, include appropriate rules of

engagement, and ensure that adequate capabilities exist or are in development to employ these cyberspace operational tools with rigor and discretion to support a full range of options for the Nation's decision makers.

The committee expects transparency on sensitive military cyber operations in accordance with section 395 of title 10, United States Code, and transparency from the Administration on cyber authorities delegated by the National Command Authority to the Secretary of Defense for certain missions or objectives so the committee may oversee the policy and political implications of such operations.

The committee will also examine the Department of Defense's cyber organization, manning, training and funding to ensure that the Cyber Mission Force and other military cyber forces are prepared to conduct the range of missions in the Nation's defense in concert with other U.S. Government agencies, and when appropriate, to support other interagency and international partners. This includes an examination of the roles and responsibilities for planning, coordinating, and executing military operations in cyberspace, such as understanding the supported and supporting combatant commands relationship.

The committee will also focus oversight on the development of training, exercises, doctrine, tactics, techniques, and procedures for operating in the cyber domain, as well as oversee implementation of authorities provided in prior years' national defense authorization acts to promote workforce development and retention for civilian and military personnel, including implementation of the Cyber Excepted Service. Additionally, the committee will continue to oversee utilization of the limited acquisition authority granted in the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92) to the Commander, U.S. Cyber Command.

#### OPERATIONS IN THE INFORMATION ENVIRONMENT

The role of information has become increasingly important to military operations as the global information environment continues to evolve. Both state and non-state actors seek to exploit the information environment and spread disinformation to achieve political, economic, and military objectives in ways that undermine U.S. national security interests and challenge U.S. military operations.

In addition to presenting challenges to U.S. national security, simultaneously, the global information environment provides an opportunity to gain an advantage in military planning and operations, as well as to achieve strategic U.S. objectives through a whole-of-government approach.

The John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232) included a provision to strengthen the authority of the Department of State's Global Engagement Center to enhance integration between the Department of Defense and interagency in countering the narrative of both state and non-state actors. The committee will continue to examine ways to strengthen interagency collaboration and cohesion for effective strategic communications and influence activities in support of U.S. national security.



Additionally, the committee will continue to conduct oversight of military operations in the information environment and other related efforts in the Department of Defense. This includes oversight of U.S. Special Operations Command as the joint proponent for military information support operations and implementation of section 1637 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91). The committee will also continue to examine Department of Defense agencies, services, and other elements roles and responsibilities in the information environment, as well as coordination and de-confliction mechanisms. Finally, the committee will conduct oversight of legal, operational, and funding authorities related to operations in the information environment.

#### PROTECTING CRITICAL TECHNOLOGY AND NATIONAL SECURITY INFORMATION

According to a memorandum issued by the Secretary of Defense on October 24, 2018, “each year, it is estimated that American industry loses more than \$600 billion to theft and expropriation. Far worse, the loss of classified and controlled unclassified information is putting the Department’s investments at risk and eroding the lethality and survivability of our forces.” Protection of key data, classified and controlled unclassified information, and intellectual property, when appropriate, is necessary for the U.S. to maintain a warfighting advantage.

The committee will conduct oversight of the Department of Defense’s efforts to protect critical technology and national security information while maintaining civil liberties and an open research environment. This includes oversight of the Department’s activities to improve cybersecurity standards and compliance, as well as Department efforts to better understand counterintelligence threats in academia. Additionally, the committee will focus on investing in and promoting innovation, science, technology, engineering, and math in academia to ensure a strong science and technology future workforce capable of promoting U.S. technological superiority.

#### OVERSIGHT OF SENSITIVE MILITARY OPERATIONS

The committee will continue to conduct extensive oversight of sensitive military operations outside of the United States and outside of the Republic of Iraq, the Syrian Arab Republic, and the Islamic Republic of Afghanistan in accordance with section 130f of title 10, United States Code. As appropriate, oversight will be conducted in classified forums. The committee will pay particular attention to the legal, policy, operational, and funding authorities, including section 127e of title 10, United States Code, associated with such operations. In conducting this oversight, the committee will also review and consider presidential guidance documents, operational authorities granted to military commanders by the Department of Defense, use of funding authorities granted by Congress, and other relevant information necessary for oversight. Further, the committee will ensure that sensitive military operations conducted outside of the United States and outside of Iraq, Syria, and Afghanistan are in line with national security strategy and policy, as well as supported and coordinated as appropriate with inter-agency partners. Finally, the committee will oversee implementa-

tion of provisions relating to reducing the likelihood of civilian casualties included in the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91) and the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), and examine ways to further reduce the likelihood of civilian casualties resulting from military operations.

#### IRREGULAR WARFARE

Malign actors employ both military and non-military means such as surrogates, cyber operations, disinformation campaigns, and political bribes in order to accomplish their strategic national objectives. These hybrid warfare tactics applied across the spectrum of conflict by threat actors undermine the national security interests of the United States, our allies, and our partners. The Department of Defense must address irregular threats in concert with other Government agencies and like-minded allies. Elsewhere in the oversight plan, the committee articulates these irregular warfare challenges and intent to conduct oversight of programs and activities related to addressing such threats.

During the 116th Congress, the committee will conduct oversight of section 1202 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91), which provides the Department of Defense limited authority to provide support to foreign forces, irregular forces, groups, or individuals engaged in supporting or facilitating ongoing and authorized irregular warfare operations by U.S. Special Operations Forces.

The committee will examine the prudent and appropriate use of this limited authority and related operational authorities. Further, the committee will ensure support provided under this authority is coordinated with other agencies, aligned with the geographic combatant commander’s intent, and approved by the relevant chief of mission.

# **COMMITTEE ON THE BUDGET**

## **OVERSIGHT PLAN OF THE COMMITTEE ON THE BUDGET FOR THE 116TH CONGRESS HOUSE OF REPRESENTATIVES**

### **COMMITTEE JURISDICTION AND OVERSIGHT**

Under clause 2(d) of House Rule X, the Chair of each Committee is required to prepare, in consultation with the Ranking Member, and submit to the Committees on Oversight and Government Reform and House Administration an oversight plan by March 1 of the first session of each Congress.<sup>1</sup> The Budget Committee's oversight responsibilities are determined by both the breadth of the federal budget and the relatively narrow focus of the Committee's legislative jurisdiction.

Under clause 1(d)(1) of House Rule X, the primary responsibility of the Budget Committee is to develop a concurrent resolution on the budget for the fiscal year. This concurrent resolution sets spending and revenue levels in aggregate and across budget functions (a set of programs that serve a shared purpose or activity, such as agriculture, health, or national defense).

Although the subject matter of the budget is inherently broad, the Committee's formal oversight responsibility focuses on laws governing the budget process and the agencies responsible for administering elements of those laws. Under clauses 1(d)(1)–(3) of House Rule X, the major laws falling within its oversight include the Budget and Accounting Act of 1921, the Congressional Budget Act of 1974, the Balanced Budget and Emergency Deficit Control Act of 1985, the Budget Enforcement Act of 1990, the Statutory Pay-As-You-Go Act of 2010, and the Bipartisan Budget Act of 2018. The two agencies with primary responsibility for administering elements of these laws and hence which fall under the Committee's jurisdiction are the Office of Management and Budget (OMB) and the Congressional Budget Office (CBO).

In addition to these general oversight responsibilities, the Budget Committee has the special oversight responsibility under clauses 3(c) and 4(b) of House Rule X to study the effect on budget outlays of existing and proposed legislation and to request and evaluate continuing studies of tax expenditures.

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<sup>1</sup> Consistent with House rules, a copy of this plan was provided to each Member of the Committee at least seven calendar days before submission.

## **OVERSIGHT PLAN FOR THE 116TH CONGRESS**

### **Budget Priorities**

In the process of developing the annual concurrent budget resolution, the Committee will hold hearings and receive testimony from Members of Congress, Cabinet-level and other federal officials, and expert witnesses to review the President's budget submissions and to review other budget priorities.

In the 116th Congress, the Committee will be active in its oversight duties. The Committee plans to focus on a range of issues, including immigration, climate change, health care, and tax policy. The Committee will focus on how these issues, in the broadest terms, impact the federal budget.

The Committee will continually assess the performance of federal agencies in both administration and service delivery by reviewing performance data in the President's budget submissions and the relevant reports and audits of the Government Accountability Office and the Offices of the Inspectors General. It will also review budget rules and processes.

The Committee will draw on the authorizing committees' Views and Estimates, which are submitted to it pursuant to section 301(d) of the Congressional Budget Act of 1974, to coordinate development of the annual concurrent budget resolution.

### **Budget Enforcement**

The Committee will provide ongoing oversight of OMB's implementation of budget submission, control, execution, and enforcement procedures under the Budget and Accounting Act of 1921, the Congressional Budget Act of 1974, the Budget Enforcement Act of 1990, the Balanced Budget and Emergency Deficit Control Act of 1985, the Statutory Pay-As-You-Go Act of 2010, the Bipartisan Budget Act of 2018, and other applicable laws. In addition, the Committee will examine the accuracy, timeliness, and responsiveness of OMB.

The Committee will work with the Appropriations and authorizing committees to ensure that spending and tax legislation does not breach the levels set in the budget resolution, as required under sections 302(f) and 311(a) of the Congressional Budget Act of 1974. The Committee will also monitor compliance with the House Pay-As-You-Go (PAYGO) rule requiring that direct spending increases and revenue losses be offset with either direct spending reductions or revenue increases.

### **Federal Spending and Tax Incentives**

The Committee will evaluate continuing studies of tax incentives and spending by the federal government and consider whether changes are warranted.

### **OVERSIGHT SCHEDULE**

The following are the Committee's initial plans for hearings and other oversight activities:

*First Session (2019)*

Winter 2019—Hearing on CBO’s Economic and Budget Outlook: Director of CBO.

Winter 2019—Hearing on the President’s Fiscal Year 2020 Budget: Director of OMB.

Winter 2019—Hearing on the President’s Fiscal Year 2020 Budget: Secretary of the Treasury.

Winter 2019—Hearing on the President’s Fiscal Year 2020 Budget: Members of Congress.

Winter 2019—Receive Views and Estimates from other committees to coordinate development of the annual concurrent budget resolution.

Winter/Spring 2019—Hearing on the economy: Chairman of the Federal Reserve Board.

Possible additional hearings on the budgetary implications of climate change, immigration reform, policies to make health care more affordable and accessible including a single-payer health care system, retirement security, and other topics to be announced.

*Second Session (2020)*

Winter 2020—Hearing on CBO’s Economic and Budget Outlook: Director of CBO.

Winter 2020—Hearing on the economy: Chairman of the Federal Reserve Board.

Winter 2020—Hearing on the President’s Fiscal Year 2021 Budget: Director of OMB.

Winter 2020—Hearing on the President’s Fiscal Year 2021 Budget: Secretary of the Treasury.

Winter 2020—Hearing on the President’s Fiscal Year 2021 Budget: Members of Congress.

Winter 2020—Receive Views and Estimates from other Committees to coordinate development of the annual concurrent budget resolution.

Possible hearings on the causes, effects, and budgetary implications of rising income inequality and other topics to be announced.

## **MINORITY VIEWS**

### **OVERSIGHT PLAN OF THE COMMITTEE ON THE BUDGET FOR THE 116TH CONGRESS**

The Oversight Plan presented by Committee Democrats reflects misplaced and misguided priorities. The Oversight Plan fails to show a serious focus on the number one issue facing our Committee—the national debt.

It is unfortunate that the Committee's Oversight Plan for the 116th Congress fails to fully address major areas of oversight within the Committee on the Budget's jurisdiction, including oversight of the Congressional Budget Office. Additionally, the Committee's oversight plan addresses various policy issues that impact the federal budget without adequately focusing on the Nation's fiscal condition.

#### **Budget Process Reform**

It is appreciated that Committee Democrats have included a reference to budget process reform after consulting with Committee Republicans. However, it is a sincere hope this issue will be prioritized and acted upon soon. Since the adoption of the Congressional Budget Act in 1974, the budget process has been amended several times, adding complexity and confusion to an already complicated process. As a result, the process has become cumbersome, frustrating, and ineffective. Congress now frequently abandons it in favor of ad hoc procedures. In addition, fiscal conditions have changed dramatically over the past forty-five years, including the inexorable growth of mandatory spending as a share of the total federal budget and the recent explosion of government debt that threatens to overwhelm the federal budget and the economy.

In the second session of the 115th Congress, the Joint Select Committee on Budget and Appropriations Process Reform (Joint Select Committee) produced a bipartisan, bicameral consensus package of reforms to the federal budget process after holding numerous hearings and meetings. During the final debate on the bill, many members indicated that they had no objection to the package's underlying reforms. However, the bill and report failed to secure the necessary supermajority of votes to pass under the Joint Select Committee's rules.

Despite the unfortunate outcome of the Joint Select Committee's work, there is no refuting that the federal budget process is still broken. It is vital that Congress continue efforts to reform the budget and appropriations process this Congress, and in the years beyond. It is the sincere hope of Committee Republicans that budget process reform efforts continue in the 116th Congress on a bipartisan and bicameral basis.

### **Oversight of the Congressional Budget Office**

The Congressional Budget Office's (CBO) primary responsibility and function is to serve the House and Senate Committees on the Budget by providing information regarding the federal budget, legislation considered by Congress, federal revenues, and related matters. However, Committee Democrats failed to outline any plan regarding oversight of CBO. Last Congress, the Committee held a series of CBO oversight hearings, which were educational for all Members of the Committee. The Committee values CBO's recent transparency efforts and responsiveness to Congress. It is the view of Committee Republicans that the Committee should continue oversight efforts of CBO in the 116th Congress. Instead, Committee Democrats have prioritized examining the Office of Management and Budget's (OMB) "accuracy, timeliness, and responsiveness." While Committee Republicans believe oversight of OMB is important to the Committee's work, questions remain as to what these oversight efforts may involve.

### **Misplaced Budget Policy Priorities**

The Budget Committee has a special oversight responsibility to study the effects of existing and proposed legislation. However, it is the view of Committee Republicans that the topics presented in the Oversight Plan reflect a missed opportunity. Listed are hearings on a range of issues, but notably absent is the \$21 trillion issue that will impact every individual in this country—the national debt. The opioids crisis and rising college costs are also examples of national priority issues which deserve attention from a federal budget context. It is unclear why Committee Democrats would ignore these issues.

Committee Republicans also believe that affordable health care is an important issue that needs to be addressed, but instead Committee Democrats have forsaken exploring any other options other than their preordained choice of government run, single-payer health care. Medicare for All is likely to delay getting tests and treatments, eliminate private insurance which currently serves 198 million Americans, require massive tax increases and cost at least an additional \$30 trillion over the first 10 years. Committee Republicans would welcome a sincere conversation about how to lower health care costs and improve access, but it is noteworthy that Committee Democrats chose to highlight only one proposal—radical, unbelievably expensive, and disruptive Medicare for All. This is disappointing for the Committee tasked with fiscal responsibility.





# **COMMITTEE ON EDUCATION AND LABOR**

## **116TH CONGRESS**

### **SUBMISSION OF OVERSIGHT PLAN OF THE COMMITTEE ON EDUCATION AND LABOR**

Mr. SCOTT, from the Committee on Education and Labor, submitted to the Committee on Oversight and Reform and the Committee on House Administration the following.

## **116TH CONGRESS**

### **SUBMISSION OF OVERSIGHT PLAN OF THE COMMITTEE ON EDUCATION AND LABOR**

#### **Preparation and Submission of Oversight Plan**

Each standing committee of the U.S. House of Representatives (other than the Committee on Appropriations, the Committee on Ethics, and the Committee on Rules) is required to prepare and submit an oversight plan at the beginning of each Congress. Specifically, clause 2(d)(1) of Rule X of the Rules of the House of Representatives states:

*(d)(1) Not later than March 1 of the first session of a Congress, the chair of each standing committee (other than the Committee on Appropriations, the Committee on Ethics, and the Committee on Rules) shall—*

*(A) prepare, in consultation with the ranking minority member, an oversight plan for that Congress;*

*(B) provide a copy of that plan to each member of the committee for at least seven calendar days before its submission; and*

*(C) submit that plan (including any supplemental, minority, additional, or dissenting views submitted by a member of the committee) simultaneously to the Committee on Oversight and Reform and the Committee on House Administration.*

#### **Jurisdiction of the Committee on Education and Labor**

Rule X of the Rules of the House of Representatives vests in the Committee on Education and Labor (Committee) jurisdiction over issues dealing with students, education, workers, and labor policy. Specifically, clause 1(e) of Rule X vests the Committee with jurisdiction over the following subject-matter:

*(1) Child labor.*

- (2) *Gallaudet University and Howard University and Hospital.*
- (3) *Convict labor and the entry of goods made by convicts into interstate commerce.*
- (4) *Food programs for children in schools.*
- (5) *Labor standards and statistics.*
- (6) *Education or labor generally.*
- (7) *Mediation and arbitration of labor disputes.*
- (8) *Regulation or prevention of importation of foreign laborers under contract.*
- (9) *Workers' compensation.*
- (10) *Vocational rehabilitation.*
- (11) *Wages and hours of labor.*
- (12) *Welfare of miners.*
- (13) *Work incentive programs.*
- (14) *Organization, administration, and general management of the Department of Education.*
- (15) *Organization, administration, and general management of the Department of Labor.*

### **General Oversight Responsibilities**

Clause 2 of Rule X of the Rules of the House of Representatives provides in part:

*(a) The various standing committees shall have general oversight responsibilities as provided in paragraph (b) in order to assist the House in—*

*(1) its analysis, appraisal, and evaluation of—*

*(A) the application, administration, execution, and effectiveness of Federal laws; and*

*(B) conditions and circumstances that may indicate the necessity or desirability of enacting new or additional legislation; and*

*(2) its formulation, consideration, and enactment of changes in Federal laws, and of such additional legislation as may be necessary or appropriate.*

*(b)(1) In order to determine whether laws and programs addressing subjects within the jurisdiction of a committee are being implemented and carried out in accordance with the intent of Congress and whether they should be continued, curtailed, or eliminated, each standing committee (other than the Committee on Appropriations) shall review and study on a continuing basis—*

*(A) the application, administration, execution, and effectiveness of laws and programs addressing subjects within its jurisdiction;*

*(B) the organization and operation of Federal agencies and entities having responsibilities for the administration and execution of laws and programs addressing subjects within its jurisdiction;*

*(C) any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation addressing subjects within its jurisdiction (whether or not a bill or resolution has been introduced with respect thereto); and*

*(D) future research and forecasting on subjects within its jurisdiction.*

*(2) Each committee to which subparagraph (1) applies having more than 20 members shall establish an oversight subcommittee, or require its subcommittees to conduct oversight in their respective jurisdictions, to assist in carrying out its responsibilities under this clause. The establishment of an oversight subcommittee does not limit the responsibility of a subcommittee with legislative jurisdiction in carrying out its oversight responsibilities.*

### **Exercise of Oversight Responsibilities**

The Constitution of the United States vests in Congress the authority and responsibility to make laws and ensure that those laws are properly enforced and enacted. Oversight is a constitutional prerogative, an important responsibility of the Congress, and a core objective of the Committee. Accordingly, the Committee will thoroughly oversee and investigate the various departments, agencies, and programs within its jurisdiction. In so doing, the Committee will actively consult with House committees that have concurrent or related jurisdiction.

In its oversight proceedings, the Committee will make full use of hearings in Washington, D.C. and of regional field hearings to ensure all relevant voices are heard and included as part of the official record. Among other investigative techniques, the Committee will visit relevant sites, correspond with affected parties, request briefings by federal agencies and departments, review assessments and analyses by the Congressional Research Service (CRS), and review audits and investigations by the Government Accountability Office (GAO) and the Offices of the Inspectors General of the U.S. Departments of Education (ED), Labor (DOL), Health and Human Services (HHS), Agriculture (Ag), and Justice (DOJ).

The Committee will lead aggressive oversight in its areas of jurisdiction, which include programs and statutes administered and enforced by ED, DOL, HHS, Ag, DOJ, and various independent agencies as well as the organization, administration, and general management of ED and DOL. The Committee will work to ensure that these programs and statutes are administered consistent with constitutional requirements of faithful execution of laws passed by Congress and long-established principles of federalism. Additionally, the Committee will conduct oversight to ensure that they are operated and executed in an effective, efficient, and transparent manner as well as follow congressional intent in their scope, activities, and operations.

The Committee has identified priority areas for oversight and investigation in the 116th Congress. These areas include, but are not limited to, the following:

- **Implementation of the Every Student Succeeds Act:** Since the passage of the bipartisan Every Student Succeeds Act (ESSA) in 2015, there have been no oversight hearings at which ED officials have testified regarding ESSA's implementation. In the 116th Congress, the Committee will conduct oversight on ESSA's implementation.
- **Recommendations on School Safety:** The Committee will conduct oversight on the Federal School Safety Commission's report as well as on ED's interest in redirecting taxpayer money legislatively directed to schools for mental health treat-

ment, anti-bullying programming, and drug prevention to the purchasing of guns for teachers and school staff.

- **Education in the Wake of Natural Disasters:** The Committee will assess and conduct oversight on the recovery and rebuilding of schools in Puerto Rico and the U.S. Virgin Islands following the 2017 hurricane season, the Northern Mariana Islands following Super Typhoon Yutu, and other areas impacted by disasters.

- **Students and Workers with Disabilities:** The Committee will conduct oversight on ED's rulemaking to impede implementation of the Individuals with Disabilities Education Act's significant disproportionality requirements that were enacted to address disparities in the treatment of disabled students of color. The Committee also will monitor the activities of DOL's Office of Disability Employment Policy (ODEP) to ensure it is fulfilling its mission to improve educational opportunities for people with disabilities and provide technical assistance to employers to support people with disabilities.

- **Student and Taxpayer Protections:** The Committee will conduct oversight on ED's efforts to roll back consumer protections and expose taxpayers to greater risk of waste, fraud, and abuse of federal funds through Higher Education Act rulemaking.

- **Student Aid:** The Committee will conduct oversight on the policies and priorities of the Office of Federal Student Aid (FSA), especially as they relate to for-profit colleges, the administration of federal financial aid programs including the servicing of federal student loans, the Public Student Loan Forgiveness program, and the Experimental Sites Initiative.

- **Department of Labor's Training and Enforcement Programs:** The Committee will conduct oversight on DOL's workforce training programs and the Department's enforcement policies and practices as they impact our nation's workers. This includes reviewing the policies and expenditures of apprenticeship programs operated by DOL, including both the Registered Apprenticeship Program and the newly developed Industry Recognized Apprenticeship Program. The Committee will review the Occupational Safety and Health Administration's actions impacting health and safety standards, the Wage and Hour Division's actions regarding overtime pay, workers' rights to retain tips, and child labor protections under the Fair Labor Standards Act. The Committee will evaluate whether the Mine Safety and Health Administration's standards and policies are sufficient to stem rising rates of black lung disease and changes to its enforcement policies.

- **Guestworker Programs:** The Committee will conduct oversight on the implementation of the provisions in the Immigration and Nationality Act that protect the wages and working conditions of both U.S. and foreign workers.

- **Collective Bargaining Rights:** The Committee will conduct oversight and investigations to ensure that the National Labor Relations Board is fairly enforcing the National Labor Relations Act.

- **Retirement Security and Multiemployer Pensions:** The Committee will continue to monitor the impact to retirement savers from the Fifth Circuit Court of Appeals' decision to vacate DOL's fiduciary rule. The Committee will also continue to examine the costs and consequences to workers, retirees, businesses, and communities, as well as to the Pension Benefit Guaranty Corporation, if Congress does not address the multi-employer pension crisis.
- **Opioid Prescribing Policies:** The Committee will conduct oversight on DOL's policies regarding opioid prescribing in federal workers' compensation programs.
- **Black Lung Benefits Program:** The Committee will review factors impacting the solvency of the Black Lung Disability Trust Fund, including the December 31, 2018, sunset of the black lung excise tax.
- **International Labor Rights:** The Committee will investigate, where appropriate, international labor issues, including those involving trade agreements and labor rights abuses, and oversee the management and operations of the International Labor Affairs Bureau within DOL.
- **Affordable Care Act:** The Committee will conduct oversight on the Administration's implementation of the Affordable Care Act (ACA) as well as the Administration's efforts to undermine the law's protections for Americans with pre-existing conditions.
- **Short-Term, Limited Duration Health Plans:** The Committee will conduct oversight to assess the impact on workers and consumers of the Administration's rule to expand the use of short-term health plans.
- **Association Health Plans:** The Committee will conduct oversight on DOL's rule to promote enrollment in Association Health Plans (AHPs) and its impact on consumers and the health care system.
- **Civil Rights:** The Committee will oversee the implementation of civil rights laws pertaining to education, labor and employment, and health care to ensure that such protections are sustained and robustly enforced. Oversight shall include reviewing the policies and priorities of ED's Office for Civil Rights, DOL's Office of Federal Contract Compliance Programs, and the U.S. Equal Employment Opportunity Commission.
- **Juvenile Justice:** The Committee will carefully monitor and conduct oversight on the implementation of the bipartisan Juvenile Justice and Delinquency Prevention Act (JJDP), which was enacted in 2018.
- **Unaccompanied Minors:** The Committee will assess and conduct oversight on the provision of education and related services to unaccompanied minors in secure detention due to the Administration's family separation policy.
- **Child Nutrition:** The Committee will monitor and conduct oversight on the Department of Agriculture's administration of child nutrition programs within the Committee's jurisdiction and any proposed policies and regulations that impact these nutrition programs.

The Committee reserves the right to review and investigate general legislative, administrative, and regulatory issues affecting its jurisdiction.

Signatories:

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**MINORITY VIEWS**  
**116TH CONGRESS**  
**SUBMISSION OF OVERSIGHT PLAN OF THE COMMITTEE**  
**ON EDUCATION AND LABOR**

The American people deserve an open, accountable government that works efficiently and effectively. Congress must use its constitutional authority to ensure that laws are properly enforced, taxpayer money is spent wisely in accordance with congressional intent, and government policy does not harm the American people. Congressional oversight of federal programs and activities is a critical part of this authority. Oversight is a constitutional prerogative, an important responsibility of the Congress, and a core objective of the Committee. Accordingly, the Committee should responsibly oversee, investigate, and hold accountable the various agencies, departments, and programs within its jurisdiction.

Oversight may not be glamorous or exciting, but it is important to be diligent, thoughtful, and responsible in its implementation. It is equally important to be objective. It would be inappropriate and a misuse of our authority to fall prey to rumors or presume conclusions to the Committee's investigations and inquiries before they are completed. If the Committee's work is to be effective, then it is important for all members to keep open minds, examine potential problems, assess the actual facts and evidence, and finally determine if there are concerns that need to be addressed.

**Exercise of Oversight Responsibilities**

Under the Rules of the House of Representatives, the Committee has jurisdiction over programs and statutes administered and enforced by the U.S. Departments of Education, Labor, Health and Human Services, Agriculture, Justice, and various independent agencies. The Committee should continue to ensure these programs and statutes are operated in an effective and efficient manner and administered consistent with the appropriate federal role and following congressional intent. In so doing, the Committee should actively consult with House committees that have concurrent or related jurisdiction.

The Committee should pursue several particular areas for oversight and investigation in the 116th Congress. These areas are discussed below:

- **Every Student Succeeds Act.** In 2015, Congress passed, and the President signed, a bipartisan, bicameral bill to replace No Child Left Behind with commonsense reforms to allow states and communities the flexibility needed to provide all students an excellent education. The Committee should continue to work with the Trump administration to ensure the

Every Student Succeeds Act is properly implemented, including following the significant changes made to the Preschool Development Grants.

- **Student Aid.** The U.S. Department of Education manages \$1.4 trillion in outstanding federal student loans and disburses billions in grants and work-study funds each year. The Committee should continue to monitor the costs and performance of these programs.

- **Higher Education Regulations.** Institutions of higher education are subject to myriad federal regulations and reporting requirements that are often burdensome and costly. The Committee should continue its oversight of regulatory policies and challenge those that enlarge the federal footprint in higher education, which tends to interfere with academic freedom, infringe on the authorities of the states, limit student choice, and unfairly target particular sectors of higher education.

- **Workforce Innovation and Opportunity Act.** In 2014, Congress passed, and the President signed, a bipartisan, bicameral bill to fix the nation's broken workforce development system. The Workforce Innovation and Opportunity Act was focused on helping workers attain skills for 21st century jobs, providing greater accountability to taxpayers, and helping to put Americans back to work. The Committee should continue to work with the administration to ensure the law is properly implemented.

- **Affordable Care Act.** The Committee should continue oversight of the Affordable Care Act and related health care issues. In particular, the Committee will focus on how the ACA regulations and sub-regulatory guidance have harmed employers' ability to provide high quality, affordable health care to employees, including educators and school-staff, and what the Trump Administration has done to provide relief from these costly and burdensome requirements.

- **Employer and Employee Protections.** The Committee should conduct oversight and investigations, as appropriate, to ensure employee and employer rights under the National Labor Relations Act (NLRA) are protected and applied consistently and without bias. The Committee should work to ensure the National Labor Relations Board properly fulfills its responsibilities, giving particular scrutiny to the Board's anticipated changes to the joint-employer standard, union election rules, unit determinations, and employees' right to decertify unions under the NLRA.

- **Retirement Security.** The retirement system works best when workers have access to voluntary, robust, portable, and secure savings options. The Committee should monitor the U.S. Department of Labor's activities to ensure regulations and sub-regulatory guidance benefit the long-term retirement security of working families and do not restrict access to affordable retirement advice.

- **Multiemployer Pensions.** Extreme and continuing underfunding in multiemployer defined benefit pension plans threaten the Pension Benefit Guaranty Corporation's (PBGC) solvency as well as benefits promised to workers and retirees



who participate in these plans. To prevent further deterioration of the plans' funding and to protect the security of worker and retiree benefits, the Committee should explore meaningful and responsible structural reforms, consistent with the Employee Retirement Income Security Act of 1974 that ensure the future stability of multiemployer pension plans. The Committee should continue to monitor the implementation of the Multiemployer Pension Reform Act of 2014 and the activities of the PBGC to develop needed bipartisan reforms that will protect both taxpayers and workers while encouraging employer participation.

- **Regulatory Process.** An open and transparent process for revising and implementing regulations will benefit students, institutions, employers, and workers alike. The Committee should work to ensure that stakeholders have sufficient time to review and provide public comment on regulatory actions within the Committee's jurisdiction.

- **Wage and Hour Laws.** Various federal labor laws were enacted during the past century for a very different workforce from the one that exists today. The Committee should continue to examine how these laws affect economic growth and job creation. In addition, the Committee should continue to encourage the agencies in its jurisdiction, especially the U.S. Department of Labor, to focus on compliance assistance to help employers understand and follow federal labor laws.

- **Government Spending.** The Committee should closely monitor all agencies under its jurisdiction to determine whether the expenditure of taxpayers' money is leading to efficient, high-quality outcomes for students and workers.

- **Union Transparency.** Workers who have chosen to be represented by unions want to be sure their dues are being properly managed. The Committee should examine the efficacy of current union reporting requirements and work to ensure that employees have access to information that clearly shows how their dues are being spent. In particular, the Committee should conduct oversight to ensure federal labor laws are properly applied to worker centers.

- **Executive Action.** The Obama administration took a number of executive actions that encroach on the constitutional authority of Congress to write the law. The Committee should continue to monitor and analyze those actions and work with the current administration to reign in those efforts and check executive authority. It should also be prepared to resist any executive actions in this administration that could encroach on the constitutional authority of Congress.

Along with the oversight objectives already outlined, the Committee should examine the programs within its jurisdiction whose authorizations have expired or will soon expire. Based upon the results of that oversight, the Committee should determine the appropriate next steps.

## Conclusion

Committee Republicans believe responsible, fact-driven oversight of the agencies over which this Committee has jurisdiction is vi-

tally important. The Committee must ensure that agencies are being good stewards of hard-working taxpayer dollars and are implementing the laws Congress passed with fidelity. Committee Republicans looks forward to pursuing oversight opportunities that meet those goals and look forward to working with our Democrat colleagues in this endeavor.

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RON WRIGHT.  
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WILLIAM TIMMONS.  
DUSTY JOHNSON.

# **COMMITTEE ON ENERGY AND COMMERCE**

## **OVERSIGHT PLAN OF THE COMMITTEE ON ENERGY AND COMMERCE**

### **U.S. HOUSE OF REPRESENTATIVES 116TH CONGRESS**

#### **THE HONORABLE FRANK PALLONE, JR., CHAIRMAN**

Rule X, clause 2(d) of the Rules of the House requires each standing Committee to develop an oversight plan for the two-year period of the Congress and to submit the plan to the Committee on Oversight and Reform and to the Committee on House Administration not later than March 1 of the first session of the Congress.

This is the oversight plan of the Committee on Energy and Commerce for the 116th Congress. It includes areas where the Committee expects to conduct oversight during the 116th Congress, subject to staff and resource limitations, but does not preclude oversight or investigation of additional matters. The Committee will continue to consult with other committees that have jurisdiction over the same or related laws, programs, or agencies with the objective of ensuring maximum coordination and cooperation. Specifically, the Committee will continue to work with other committees to facilitate expiring programs, coordinate with the Congressional Budget Office regarding lapsed authorizations and upcoming expirations, and hold member and staff-level meetings with relevant committees and House and Senate conferences.

#### **ENERGY AND ENVIRONMENTAL ISSUES**

##### **CLIMATE CHANGE**

Climate change affects every region across the country and inflicts large costs on the U.S. economy each year. States, cities, tribes, and communities across America are taking steps to mitigate and prepare for the impacts of climate change. The Committee intends to examine the economic, environmental, and health effects of climate change, including disproportionate impacts on low income communities and other vulnerable populations. The Committee will also identify opportunities for federal action to reduce negative impacts, create new businesses and jobs, and make all communities safer and more resilient to changes already underway. The Committee will also review actions needed to meet our obliga-

tions under the Paris Climate Agreement and examine the climate impacts of regulatory efforts and programs by the Department of Energy (DOE), the Environmental Protection Agency (EPA), the Department of Health and Human Services (HHS) and other agencies within the Committee's jurisdiction. The Committee expects to examine governmental and nongovernmental activities and policies to reduce greenhouse gas emissions. The Committee also anticipates assessing state funding programs and other efforts by agencies within the Committee's jurisdiction to ensure states and local communities have the resources needed to prepare for and respond to severe weather events and natural disasters.

#### CLEAN AIR ACT

The Committee expects to review significant rulemakings and program implementation under the Clean Air Act and associated public health and environmental benefits. Review will also include oversight of EPA decisions, management strategies, and other actions affecting efforts to meet Clean Air Act standards, including EPA actions that affect state efforts to meet public health goals. In addition, the Committee will examine the current role of and proposed changes to the accounting of cost, benefits, and feasibility in Clean Air Act rulemakings. The Committee will also continue to conduct oversight of EPA's implementation of the Renewable Fuel Standard.

#### ENVIRONMENTAL CONTAMINATION AND CLEANUP

The Committee will conduct oversight of EPA's implementation of the Comprehensive Environmental Response Compensation & Liability Act (CERCLA), including the development and implementation of the recommendations from the Superfund Task Force. The Committee will also oversee implementation of recent updates to the Brownfields program. The Committee anticipates investigating the impacts of climate change and extreme weather on exposure from contaminated sites and cleanup costs. The Committee will also examine EPA's decision not to finalize financial responsibility requirements under CERCLA Section 108(b) and the impacts of that decision on cleanups and taxpayers.

#### HAZARDOUS AND SOLID WASTE

The Committee will examine state and federal implementation of legislation governing disposal of coal ash, including the EPA's response to recent court decisions finding federal regulations insufficient and state response to recent extreme weather events that led to coal ash releases.

#### REGULATION OF DANGEROUS CHEMICAL SUBSTANCES

The Committee will conduct oversight of EPA's implementation of the reformed Toxic Substances Control Act as the Agency moves forward with the first risk evaluations and risk management rules under the new law. This oversight will look at decisions being made by EPA to exclude certain uses, exposures, vulnerable populations, and scientific studies from their review. The Committee

will examine the impacts these decisions are having on the most vulnerable and disproportionately impacted, including workers, infants and children, and hot spot communities. The Committee will also examine risk management activities and decisions related to pesticides and other non-TSCA regulated chemicals and actions of other agencies in the Committee's jurisdiction charged with addressing these issues, including DOE and the Agency for Toxic Substances and Disease Registry.

#### DRINKING WATER RISKS AND SAFETY

The Committee will examine drinking water risks, including risks from lead service lines and emerging contaminants. The Committee will conduct oversight of state and federal implementation of drinking water standards, and EPA's process for adopting new drinking water standards. In addition, the Committee will continue to review the impact on communities of regulatory ambiguity under the Safe Drinking Water Act regarding hydraulic fracturing, as well as government activities in hydraulic fracturing research and regulation.

#### EPA MANAGEMENT AND OPERATIONS

The Committee will conduct general oversight of EPA. This will include review of agency funding decisions, resource allocations, office and program reorganization, grants, research activities, contracts awarded to outside parties, enforcement activities. The Committee will also conduct general oversight of EPA relations with state and local governments, public transparency, and adherence to economic, procedural, public health, and environmental standards in regulatory actions. The Committee intends to examine how staff reductions and cuts to the EPA budget would impact the agency's programs and effectiveness in protecting human health and the environment.

#### NATIONAL ENERGY POLICY

The Committee will examine policies that relate to energy efficiency and conservation, and the exploration, production, distribution, and consumption of electricity, oil and natural gas, coal, hydroelectric power, nuclear power, and renewable energy. The Committee will inquire into the impact of government policies and programs on the exploration, production, storage, supply, marketing, pricing, and regulation of domestic energy resources, including issues relating to the nation's energy infrastructure. The Committee will also continue to examine safety, security, public health and climate issues relating to energy exploration, production, and distribution.

#### ELECTRICITY AND NATURAL GAS MARKETS AND REGULATION

The Committee will review the federal electricity and natural gas policies of the Federal Energy Regulatory Commission (FERC) and DOE related to competitive markets for compliance with relevant statutes. The Committee will also examine the activities of the FERC and DOE relating to protection of consumers and the envi-

ronment with regard to electricity, natural gas and hydroelectric power, including the development of efficient and vigorous wholesale markets for electricity. Additionally, the Committee will closely examine actions regarding pipeline safety by the Department of Transportation's Pipeline and Hazardous Materials Safety Administration as well as actions regarding pipeline security by the Department of Homeland Security's Transportation Security Administration.

#### ENERGY AND FUEL EFFICIENCY MANDATES

The Committee will continue to oversee federal programs setting energy efficiency standards for home appliances crafted by DOE, to ensure that the programs maximize the benefit to consumers. The Committee will also examine greenhouse gas and fuel economy standards for motor vehicles developed by EPA and the National Highway Traffic Safety Administration (NHTSA), respectively.

#### MANAGEMENT OF THE DEPARTMENT OF ENERGY AND ITS NATIONAL LABORATORIES

The Committee will continue to oversee governance, management, and operations issues at DOE, including the National Nuclear Security Administration (NNSA) and the National Laboratories. This will include a continued focus on DOE's management of the contractors that operate the national laboratories. The Committee's oversight work will also include review of the implementation of security and safety reforms at NNSA and DOE facilities, ongoing safety and security matters, and the Office of Environmental Management's cleanup program, as well as the work of the Defense Nuclear Facilities Safety Board. This work will also include the Committee's oversight functions over DOE grant and loan guarantee programs as well as programs and activities relating to non-military energy research and development.

#### NUCLEAR WASTE

The Committee will continue to review the actions of DOE and the Nuclear Regulatory Commission (NRC) regarding obligations of these agencies under the Nuclear Waste Policy Act. The Committee will also examine other nuclear waste cleanup and disposal programs under its jurisdiction.

#### THE NUCLEAR REGULATORY COMMISSION

The Committee will continue to examine the programs and activities of NRC. The Committee will review NRC's budget requests and conduct oversight of the manner in which the Commission discharges its various responsibilities, including the Commission's regulatory actions, licensing activity, the safety and security of nuclear power facilities, and nuclear materials licensees.

## HEALTH AND HEALTH CARE ISSUES

### THE AFFORDABLE CARE ACT

The Committee will continue to examine issues related to the Department of Health and Human Services' (HHS) implementation of the Affordable Care Act (ACA), including attempts to administratively and illegally undermine the ACA and the Administration's refusal to defend the constitutionality of the law. This oversight will also examine the effect that Administration decisions have had on access to comprehensive, affordable health care.

### HHS MANAGEMENT AND OPERATIONS

The Committee will conduct general oversight of HHS and its agencies to ensure it is fulfilling its mission to enhance and protect the health of all Americans.

### CENTERS FOR MEDICARE & MEDICAID SERVICES

The Committee will review the management, operations, and activities of the Centers for Medicare & Medicaid Services (CMS) and the programs it administers. The Committee will study the positive economic effect of Medicaid expansion and impact of Medicaid expansion on access to care, and review insurance coverage rates for children and state outreach efforts to enroll uninsured children. The Committee will examine attempts to administratively and illegally undermine the Medicaid program, which provides critical services to over 70 million individuals. The Committee will also examine the increasing out-of-pocket drug costs for seniors under the Medicare program and the positive effects of giving the Secretary of HHS the authority to negotiate drug prices.

### FOOD AND DRUG ADMINISTRATION AND PRODUCT SAFETY

The Committee will review the management, operations, and activities of the Food and Drug Administration (FDA), including the ability of the agency to ensure the safety of the nation's food, drugs, devices, and cosmetics. The Committee will examine FDA's statutory authorities for protecting the nation's food supply with a view towards identifying any gaps and whether FDA's financial and personnel resources are adequate to protect the public from unsafe food. The Committee will also investigate FDA's enforcement of current drug supply chain and safety laws and its foreign drug inspection program. The Committee will also review the FDA's efforts to combat youth access to tobacco and electronic nicotine delivery systems products, as well as the agency's enforcement and implementation of the Tobacco Control Act. The Committee will also review FDA's efforts to improve and modernize the regulatory framework for medical devices and the impact for medical device safety. Further, the Committee will review the safety of cosmetics and personal care products in light of the substantial increase in cosmetic imports, one of FDA's larger categories of imports.

#### PUBLIC HEALTH AND PANDEMIC PREPAREDNESS

The Committee will examine the roles of various federal agencies responsible for protecting the public health, including program management and implementation. Specifically, the Committee will continue to conduct oversight of federal efforts on pandemic preparedness, including influenza preparedness, as well as the United States' response to emerging foreign infectious disease threats. The Committee will also continue its review of efforts to combat the opioid epidemic, including state and federal responses, and the roles of participants in the health care delivery chain. Additionally, the Committee will also study the role our federal public health agencies play and the actions such agencies can take to reduce health disparities among racial and ethnic minorities, and to address the health impacts caused by gun violence in our communities. Further, the Committee will also continue to monitor implementation of mental health reforms and the work done by the Assistant Secretary for Mental Health and Substance Use, as well as issues related to the health and safety of athletes, including youth athletes.

#### HEALTH CARE AFFORDABILITY

The Committee will examine the Administration's actions and policies related to the rising costs of health care and prescriptions drugs. This will include examining the role FDA and the National Institutes of Health (NIH) play in the discovery, development, and delivery of innovative medications. The Committee will also investigate the impacts higher health care costs, including rising out-of-pocket costs and surprising billing, are having on American families, including seniors, and what actions may be taken to improve affordability within our health care system. The Committee will also continue to review policies proposed by the Administration to lower the costs of prescription drug prices and will investigate how actions taken by brand name and generic drug manufacturers have impacted such costs, including abuses and gaming of current regulatory requirements. Further, the Committee will study the role rebates play in the costs of prescription drugs and to our federal health care system and study how changes to rebates may impact such costs.

#### REUNIFICATION OF UNACCOMPANIED CHILDREN

The Committee will conduct oversight of HHS efforts to reunify and provide appropriate care to unaccompanied children. The Committee will also review HHS's role in significant policies that affect the placement and coordination of unaccompanied children. Review will also include HHS-contracted facilities' compliance with federal laws and regulations, and HHS's oversight thereof.

#### INDIAN HEALTH SERVICE

The Committee expects to investigate the quality and adequacy of health care prevention and treatment services provided by the Indian Health Service. The Committee will also review current implementation of the Indian Health Care Improvement Act and how



this law and the care provided by the Indian Health Service is working for American Indians and Alaska Natives in order to inform the Committee on ways to improve care for those who rely on these services.

## **COMMUNICATIONS AND TECHNOLOGY ISSUES**

### **FEDERAL COMMUNICATIONS COMMISSION MANAGEMENT AND OPERATIONS**

The Committee will continue to conduct oversight of the operations, management, and activities of the Federal Communications Commission (FCC), including the effect of its decisions on protecting consumers, promoting privacy and data security, increasing the availability of broadband, technologies and services, increasing competition, and ensuring adequate emergency communications capability. Additionally, the Committee will evaluate the effect of FCC actions on network resiliency and public safety, as well as data, video, voice, and audio services.

### **NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION MANAGEMENT AND OPERATIONS**

The Committee will continue to conduct oversight of the operations, management, and activities of the National Telecommunications and Information Administration (NTIA) within the Department of Commerce, including its efforts to promote cybersecurity, supply chain security, consumer privacy, and the responsible use of emergency consumer communications technologies. Additionally, the Committee will evaluate the work of the NTIA in representing the interests of the United States in international meetings and negotiations relating to telecommunications and internet governance.

### **BROADBAND INTERNET DEPLOYMENT, AFFORDABILITY ADOPTION, AND OPENNESS**

The Committee will conduct oversight of funding mechanisms for broadband deployment and adoption, including the Universal Service Fund and whether such programs adequately and efficiently promote broadband deployment and adoption for consumers. The Committee will also oversee the effect deregulation has had on the availability, affordability, and adoption of broadband. The Committee will exercise its jurisdiction to oversee the process—and the effects on consumers, small business, and free speech—associated with the repeal of net neutrality. The Committee will exercise its jurisdiction over broadband to ensure continued growth and investment in the internet. The Committee will also continue to exercise its jurisdiction over wireless and wired communications to ensure our nation's policies governing voice, video, audio, and data services are promoting investment, innovation, access, affordability, and job creation.

### **PUBLIC SAFETY COMMUNICATIONS**

The Committee will continue to examine the progress being made to ensure that first responders have interoperable communications capabilities with local, state, and federal public safety officials, in-

cluding through the efforts of the Emergency Communications Division within the Department of Homeland Security. The Committee will also examine the progress being made by the First Responder Network Authority in carrying out the mandates of the Middle Class Tax Relief and Job Creation Act of 2012. In addition, the Committee will conduct oversight regarding the implementation of legacy 911 and Next Generation 911 (NG911) services. The Committee will review efforts to promote deployment of these advanced systems and challenges to realizing ubiquitous NG911.

#### SPECTRUM MANAGEMENT

The Committee will continue to oversee the Federal Communications Commission's and the National Telecommunications and Information Administration's (NTIA) management and allocation of the nation's spectrum for government and commercial use to ensure efficient use of public airwaves for consumers. The Committee will further examine whether plans for allocating spectrum encourage competition, benefit consumers, and are in the public interest. The Committee will oversee FCC and NTIA implementation of the Middle Class Tax Relief and Job Creation Act of 2012, the Bipartisan Budget Act of 2015 and the RAY BAUM's Act.

### CONSUMER PROTECTION AND COMMERCE ISSUES

#### PRIVACY AND SECURITY

The Committee will examine issues relating to the privacy and security of methods, information, and data collected by businesses about consumers and the potential for improving protection and benefiting consumers. The Committee will also continue to investigate whether all companies that collect consumer data are implementing data security and privacy standards that ensure consumers' personal information is not stolen or misused.

#### CONSUMER PRODUCT SAFETY COMMISSION MANAGEMENT AND OPERATIONS AND CONSUMER PROTECTION

The Committee will continue to review the Consumer Product Safety Commission's overall operations, including the effectiveness of its rulemaking, its enforcement activities, engagement in standard-setting activities, and the modernization of its staff and infrastructure. The Committee will also exercise its jurisdiction to improve the safety of products purchased and used by consumers to prevent injuries and deaths.

#### NHTSA MANAGEMENT AND OPERATIONS AND MOTOR VEHICLE SAFETY

The Committee will continue oversight of the National Highway Traffic Safety Administration (NHTSA), including the effectiveness of the agency's regulations, investigations, structure, research activities, and enforcement actions pertaining to motor vehicle safety. The Committee will examine NHTSA's ability to effectively oversee advancing safety technologies including semi-autonomous and autonomous technologies. The Committee will also examine whether NHTSA effectively monitors and investigates safety issues, and

whether it effectively manages recalls. The Committee will also work to improve motor vehicle safety to protect drivers, passengers, and all others who share the roadways.

#### FEDERAL TRADE COMMISSION MANAGEMENT AND OPERATIONS AND CONSUMER PROTECTION

The Committee will review the management, authorities, operations, rulemaking, and enforcement actions of the Federal Trade Commission. The Committee will review consumer protection activities related to privacy, data security, and false and deceptive advertising.

#### CONSUMER FINANCIAL PROTECTION BUREAU MANAGEMENT AND OPERATIONS

The Committee will review the management, operations, rulemaking, and enforcement actions of the Consumer Financial Protection Bureau, and whether the Bureau is achieving its consumer protection mission.

#### DEPARTMENT OF COMMERCE MANAGEMENT AND OPERATIONS AND MANUFACTURING AND TRADE

The Committee will conduct oversight of the Commerce Department and its efforts to promote manufacturing and exports. The Committee will monitor and examine interstate commerce as well as bilateral agreements and multilateral trade agreements as those agreements relate to services, commodities, and industries within the Committee's jurisdiction, including energy, telecommunications, consumer products, electronic commerce, food, and drugs. The Committee will examine whether these agreements adequately protect the interests of domestic and foreign workers, the environment, and consumers. The Committee will also explore the state of manufacturing in the United States to identify factors that are hampering or furthering U.S. competitiveness and factors that benefit or hurt American workers.

### MISCELLANEOUS

#### CYBERSECURITY

The Committee will continue to examine the protection of information and technology vital to our national and economic security by examining vulnerabilities and paths to defend against future attacks. The Committee will conduct oversight of actions and programs of the National Institute of Standards and Technology as well as efforts of relevant agencies to implement the Homeland Security Act of 2002. Additionally, the Committee will review the efforts of agencies within its jurisdiction to secure their networks. The Committee will also examine initiatives to improve cybersecurity both in the private and public sectors, and review efforts at agencies within the Committee's jurisdiction to regulate cybersecurity.

#### BIOTERRORISM PREPAREDNESS AND RESPONSE

The Committee will continue to monitor the roles of HHS agencies in assisting the nation's capability, detection, and response to possible biological attacks. The Committee will also evaluate the potential impact and preparedness of the nation's public health system. The Committee will continue to review the extent of the coordination between HHS and the Department of Homeland Security (DHS), especially as it relates to Project Bioshield, and implementation of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 by HHS.

#### FEDERAL OVERSIGHT OF HIGH-CONTAINMENT BIO LABORATORIES

The Committee will conduct oversight of issues related to high-containment bio laboratories, which handle some of the most dangerous and exotic diseases, including anthrax, smallpox, Ebola virus, and foot and mouth disease. Among the issues under review will be the adequacy of the security and practices of high-containment bio laboratories and federal efforts to oversee the laboratories, and whether some of these efforts are overlapping and duplicative.

#### SAFETY AND SECURITY FOR CHEMICAL FACILITIES

The Committee will conduct oversight of mandates across agencies to ensure the safety and security of chemical facilities, including implementation of DHS's Chemical Facilities Anti-Terrorism Standards Program and EPA's Risk Management Planning program. The Committee will also examine threats to these facilities from climate change and extreme weather.

#### SCIENTIFIC AND RISK ASSESSMENT PROGRAMS

The Committee will review programs to assess the objectives, transparency, and integrity of scientific assessments that inform regulatory and public health policies. The Committee will examine issues relating to the numerous Federal science programs assessing public health risks, including the Integrated Risk Information System at the EPA, the Report on Carcinogens produced by the National Toxicology Program at HHS, and assessments proposed or ongoing in other Federal departments and agencies.

#### WASTE, FRAUD AND ABUSE

The Committee will conduct oversight of departments and agencies under its jurisdiction to ensure adequate and prompt implementation of recommendations from the Government Accountability Office, Offices of Inspectors General, and other sources to eliminate waste, fraud, and abuse.

#### CRITICAL INFRASTRUCTURE

The Committee will examine DHS's activities with respect to identifying high-priority assets and implementing plans to protect these assets in areas within the Committee's jurisdiction. The Committee will also examine the activities of DOE, FERC, and other

Federal agencies related the physical and cybersecurity of the nation's energy infrastructure, including DOE's authorities and responsibilities as the sector-specific agency for energy security. The Committee will also conduct oversight of HHS and EPA's responsibilities and authorities as sector-specific agencies for activities related to the nation's critical infrastructure for communications, chemicals, emergency services, and others within the Committee's jurisdiction. Additionally, the Committee will examine the roles and responsibilities of other relevant agencies such as the FCC as well as the private sector.

#### NUCLEAR SMUGGLING

The Committee will continue to monitor private sector and Federal government efforts at seaports, border crossings, and mail facilities. The Committee's review will examine and assess DOE and U.S. Customs and Border Protection efforts, including international efforts, aimed at detecting and preventing the smuggling of dangerous commerce, particularly radiological and nuclear weapons of mass destruction.

#### ONLINE PLATFORM AND CONSUMER PROTECTION

The Committee will examine the effect of online platform practices on the public good, free speech, and democratic principles. In particular, the Committee will review the effect on consumers of certain content moderation techniques and the potential for algorithmic bias and discrimination. The Committee will also review the extent to which competition exists among online platforms, and how consolidation affects consumers.

#### DIVERSITY AND INCLUSION IN FEDERALLY-FUNDED ENTITIES AND ACTIVITIES

The Committee will provide oversight over all agencies under its jurisdiction to promote policies of diversity and inclusion in order to ensure that these federally-funded agencies are representative of the nation as a whole and are working to support the interests of all communities and all segments of the overall population.



## COMMITTEE ON FINANCIAL SERVICES

### OVERSIGHT PLAN OF THE COMMITTEE ON FINANCIAL SERVICES FOR THE 116TH CONGRESS

Pursuant to clause 2(d)(1) of rule X of the House of Representatives, the following constitutes the oversight plan of the Committee on Financial Services for the 116th Congress. It includes areas in which the Committee and its subcommittees expect to conduct oversight during the 116th Congress; it does not preclude oversight or investigation of additional matters or programs as they arise. The Committee will consult, as appropriate, with other Committees of the House that may share jurisdiction on any of the subjects listed below.

#### HOUSING AND COMMUNITY DEVELOPMENT

*Department of Housing and Urban Development (HUD) and U.S. Department of Agriculture (USDA).* The Committee will monitor the budget requests submitted by HUD and USDA for programs under the Committee's jurisdiction, including careful consideration of any legislative recommendations included in those requests, and will review HUD's and the Rural Housing Service's (RHS) general codes of conduct and other policies.

*Homelessness.* The Committee will examine the current state of homelessness in the United States of America and the federal response to ending homelessness, including oversight of the Continuum of Care (CoC) and Emergency Solutions Grant (ESG) programs under the Department of Housing and Urban Development (HUD), the HUD Veteran Affairs Supported Housing program (HUD-VASH), as well as efforts by the U.S. Interagency Council on Homelessness (USICH) to coordinate various federal agencies towards the national goals to end homelessness. The Committee will review the causes and possible solutions to address homelessness, including in parts of the country where homelessness has reached crisis levels. The Committee will also consider ways to better serve those who are at risk of homelessness.

*Rental Housing Crisis.* The Committee will examine the current rental housing crisis that is burdening families across the country with unaffordable rents. The Committee will examine the role of existing federal housing programs in addressing the rental housing crisis, including public housing, Section 8 Housing Choice Vouchers (HCVs), Section 8 project-based rental assistance (PBRA), the Section 202 Supportive Housing for the Elderly program, the Section 811 Supportive Housing for Persons with Disabilities program, the HOME Investment Partnerships program (HOME), the Low Income Housing Tax Credit (LIHTC) program, and the Housing Trust Fund (HTF). As part of its review, the Committee will examine the

conduct of landlords participating in these programs as well as investigate HUD's oversight of landlord participants to ensure rules and regulations are being followed. The Committee will also review the limitations of existing programs at current funding levels. The Committee will consider solutions to address the rental housing crisis, including proposals to enhance preservation of affordable rental housing, increase the affordable rental housing stock, and ensure that affordable rental housing is accessible for persons who are elderly and/or disabled. The Committee will monitor HUD's implementation and oversight of the Moving to Work (MTW) demonstration programs and the effects of such programs on tenants.

*Public Housing.* The Committee will examine the rising maintenance and capital needs of the aging public housing stock and the limitations of current federal funding levels to address these needs. As part of its examination, the Committee will investigate the presence of lead, mold, and other health hazards in the nation's public housing system and seek ways to ensure capital repairs are made in order to improve the health and well-being of residents. The Committee will review the role of public housing as part of a federal strategy to address affordable housing needs and will monitor HUD's use of the Rental Assistance Demonstration (RAD) and the demolition and disposition processes as they affect public housing and its residents.

*Rural Housing.* The Committee will examine the affordable housing needs in rural communities and whether there are limitations in meeting those needs by existing programs because of current funding levels. In particular, the Committee will examine the aging stock of properties with Section 515 Rural Rental Housing Loans and 516 Farm Labor Housing Loans, and the adequacy of the USDA's efforts for preserving these properties and preventing tenant displacement. The Committee will consider legislation to help preserve these properties and prevent the displacement of tenants. The Committee will also monitor USDA's management of the Section 521 Rental Assistance (RA) program, the Rural Development Voucher program, the Section 502 Direct and Guaranteed Loan programs the Multifamily Housing Preservation and Revitalization Demonstration Loans and Grants, and the Section 523 Mutual Self-Help grant program.

*Community Development.* The Committee will consider opportunities to better leverage and coordinate housing development with neighborhood resources such as transportation and community centers through programs like the Community Development Block Grant (CDBG).

*Disaster Recovery, Resilience, and Sustainable Development.* The Committee will conduct oversight of the Community Development Block Grant Disaster Recovery (CDBG-DR) program and ongoing efforts to provide relief for disaster-stricken areas, with an emphasis on the timeliness of Federal Register notice publications, Action Plan reviews, any administrative delays in the disbursement process, and the monitoring of State and Territory funds received in connection with the 2017 and 2018 natural disasters. The Committee will review proposals to enhance our nation's ability to withstand future disasters in the face of climate change, which is contributing to increasing frequency and magnitude of natural disas-



ters. The Committee will also examine proposals to transition to more efficient and sustainable homes.

*Fair Housing.* The Committee will conduct oversight of fair housing enforcement under HUD, including reviewing the integrity of investigations being carried out by the Office of Fair Housing and Equal Opportunity (FHEO). The Committee will also monitor HUD's ongoing rulemaking processes on the Affirmatively Furthering Fair Housing (AFFH) mandate and the disparate impact standard under the Fair Housing Act.

*Native American and Native Hawaiian Housing.* The Committee will conduct oversight of programs under the Native American Housing and Self Determination Act of 1996 (NAHASDA) and consider proposals for reauthorization of those programs. The Committee will also monitor HUD's administration of the recent appropriation of an additional \$100 million for the Native American Housing Block Grants program, which will be allocated through a competitive grant process.

*Housing Finance and Access to Homeownership.* The Committee will examine the health of our housing finance system and the extent to which it is serving all creditworthy borrowers, especially among low and moderate income (LMI), minority, rural, and other underserved borrowers. The Committee will consider proposals to reform the housing finance system.

*Federal Housing Finance Agency (FHFA), Federal National Mortgage Association (Fannie Mae), Federal Home Loan Mortgage Corporation (Freddie Mac), Federal Home Loan Banks (FHLBs).* The Committee will monitor the operations, activities and initiatives of the FHFA, and review its general code of conduct and other agency policies. The Committee will monitor Fannie Mae and Freddie Mac's activities under conservatorship, including their recent pilot programs exploring front-end credit risk sharing and recent policy changes allowing for waivers of appraisal requirements. The Committee will also review the FHFA's proposed rule related to capital held by Fannie Mae and Freddie Mac. The Committee will monitor the capital requirements and financial stability of the FHLB system, as well as the FHLB system's ability to fulfill its housing and community economic development mission and provide liquidity to member banks in a safe and sound manner.

*Government National Mortgage Association (Ginnie Mae).* The Committee will examine Ginnie Mae to ensure that the agency has the necessary resources, procedures, and oversight to manage its portfolio, including Ginnie Mae's response to its growing exposure to nonbank risks.

*Federal Housing Administration (FHA).* The Committee will examine FHA to ensure that it has the necessary resources, procedures, and oversight to manage its portfolio, including ongoing challenges due to an aging technological infrastructure. The Committee will also review the FHA's premium rates.

*Private Mortgage Insurance (PMI).* The Committee will examine the role that private mortgage insurance plays in the housing finance system in providing access to homeownership and consider the effects of capital requirements placed on PMI companies by Fannie Mae and Freddie Mac.

*Mortgage Servicing.* The Committee will examine the adequacy of existing regulatory requirements and oversight of the servicing industry, including the adequacy of the federal response to the growing share of nonbank servicers. The Committee will consider whether FHFA needs additional authority to establish prudential management and operations standards for its servicers. The Committee will also consider legislative solutions to enhance FHA's oversight and enforcement of its loss mitigation requirements and to address policies that may cause unnecessary foreclosures on seniors with reverse mortgages and on those who have been affected by natural disasters.

## INSURANCE

*National Flood Insurance Program (NFIP).* The Committee will examine the role of the NFIP in providing affordable insurance to homeowners, renters, and businesses, investing in mitigation, and providing maps to aid communities in their flood plain management efforts. The Committee will examine proposals to reauthorize and reform the NFIP to enhance affordability, mapping, and mitigation, and to improve the efficiency and transparency associated with the processing of claims submitted by policyholders. The NFIP is set to expire on May 31, 2019.

*Federal Insurance Office (FIO).* The Committee will conduct oversight of FIO's work on domestic and international insurance policy, including the extent to which traditionally underserved communities and consumers have access to affordable insurance products.

*Terrorism Risk Insurance Program.* The Committee will examine proposals to reauthorize and reform the Terrorism Risk Insurance Act, which is set to expire on December 31, 2020.

*Insurance Sector Supervision.* The Committee will monitor the insurance sector generally, which may include examining the role of capital requirements in the insurance sector, including state, federal, and international efforts to revise capital requirements for insurance companies, the application of federal capital requirements for insurance companies that own depository institutions, the role of state guaranty funds, issues related to consumer protection and discrimination in the insurance sector, and issues or gaps in the regulation of insurers that could contribute to a systemic crisis in the insurance industry or the U.S. financial system. The Committee will also review implementation of the Military Personnel Financial Services Protection Act, which was enacted in response to abuses in the marketing and sale of securities and life insurance products to servicemembers.

*International Insurance Developments.* The Committee will monitor developments related to international regulatory standards for insurance companies, including actions taken by the Financial Stability Board, the International Association of Insurance Supervisors, and the Organization for Economic Cooperation and Development. The Committee will also monitor any developments related to covered agreements made pursuant to the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (Dodd-Frank Act).

*Cyber Insurance.* The Committee may examine developments related to the market for cyber insurance and the insurance industry's susceptibility to cybersecurity risks.

*Auto Insurance.* The Committee may review the state of the automobile insurance market in America with a particular focus on issues of access and affordability for lower- and middle-income Americans, minorities, and traditionally underserved communities.

## CONSUMER PROTECTION AND FINANCIAL INSTITUTIONS

*Government Shutdown.* The Committee will examine the effect of the longest shutdown of the Federal government in U.S. history that commenced on December 22, 2018. This will include considering the effect the shutdown has on the financial system and the U.S. economy, as well as assessing the effect on consumers—including Federal government employees, contractors, and other individuals and any adverse consequences they may face through no fault of their own.

*Protecting Consumers.* The Committee will monitor the current state of consumer financial protection by assessing the adequacy of protections for all consumers. The Committee will examine any unique challenges experienced in, and faced by, traditionally underserved communities and populations to obtain mainstream consumer financial products and services, including the root causes for credit deserts in rural and urban communities that have resulted in millions of unbanked and underbanked consumers. The Committee will consider methods to improve the financial well-being of other vulnerable consumers such as older Americans, active-duty servicemembers, veterans, students, young adults, racial and ethnic minorities, and immigrants.

*Consumer Financial Protection Bureau.* The Committee will closely examine the exercise of the regulatory, supervisory, and enforcement power of the Consumer Financial Protection Bureau (Consumer Bureau). The Committee will conduct oversight to ensure that the Consumer Bureau is fully complying with both the spirit and letter of its purpose, objectives, and mission articulated under Title X of the Dodd-Frank Act to combat unfair, deceptive, abusive acts and practices in the offering and provision of consumer financial products. This oversight will evaluate, among other things, the allocation of resources and use of tools by the Consumer Bureau, its collaboration with other Federal and state agencies, and Tribal governments, the transparency and effectiveness of its consumer complaint database, and its code of conduct and other agency policies. The Committee will monitor to what extent the Consumer Bureau promptly addresses any unfair, deceptive and abusive acts and practices in the financial consumer marketplace, including as it relates to: mortgage lending, auto lending, including indirect auto lending, forced arbitration, and other financial services, products and practices.

*Student Debt Crisis.* The Committee will examine the financial and economic implications of the growing student debt crisis, including how a borrower's inability to repay student debt can serve as a barrier to homeownership, entrepreneurship, and other economic activities. The Committee will monitor the effectiveness of

student borrower protections, including as it relates to student loan servicing standards.

*Consumer Protections for Military Servicemembers.* The Committee will examine the adequacy, supervision, and enforcement of all consumer financial protections, including those provided through the Military Lending Act (MLA) and the Servicemembers Civil Relief Act (SCRA), afforded to active-duty servicemembers and their families.

*High Cost Short-Term Credit and Debt Collection.* The Committee will review the effectiveness and extent to which consumer protections are implemented and enforced with respect to payday lending, other forms of short-term credit, and debt collection. The Committee will also review the use of overdraft services, and its impact on consumers.

*Mandatory Arbitration.* The Committee will monitor the use and effect of mandatory pre-dispute arbitration agreements, and similar provisions, that limit consumers' ability to participate in a class action case against financial institutions when they've been harmed.

*Fair Access to Affordable Consumer Financial Products and Services.* The Committee will consider ways to expand access to mainstream financial services among traditionally underserved segments of the U.S. population. The Committee will evaluate proposals to update certain Federal consumer financial laws to ensure that they are meeting the evolving financial needs of consumers.

*Discrimination in Lending.* The Committee will examine the effectiveness of regulators' fair lending oversight and enforcement efforts to ensure that the Federal government does not tolerate discrimination. The Committee will also examine the quantity and quality of data, including that provided under the Home Mortgage Disclosure Act (HMDA), to ensure discriminatory practices can be identified and addressed.

*Community Reinvestment Act (CRA).* The Committee will monitor any legislative and regulatory proposals to reform the Community Reinvestment Act of 1977.

*Department of the Treasury, Financial Stability Oversight Council (FSOC) and Office of Financial Research (OFR).* The Committee will review the operations and resources of the Department of the Treasury, as well as its code of conduct and other policies. The Committee will monitor financial stability and systemic risk issues, including all matters relating to the operations, activities, and initiatives of the FSOC and OFR to identify and mitigate threats to financial stability in the United States. This will also include a review of shifts in the mortgage market, including the subprime market, from bank financing to non-bank financing.

*Supervision and Enforcement of Financial Institutions.* The Committee will review the operations, activities, initiatives, codes of conduct and other agency policies of the Federal Reserve Board of Governors, the Office of the Comptroller of the Currency (OCC), Federal Deposit Insurance Corporation (FDIC), and National Credit Union Administration (NCUA). This work will include examining financial regulators' supervision of the banking, thrift and credit union industries for safety and soundness and compliance with laws and regulations. The Committee will also monitor their enforcement activities, including ensuring the compliance of regulated

institutions with existing consent orders, settlement agreements, deferred prosecution agreements, or similar arrangements. The Committee will also evaluate the supervision of nonbank financial companies by the Consumer Bureau.

*Enhanced Prudential Standards for Large Banks.* The Committee will monitor how enhanced prudential standards are being applied to the largest banks operating in the United States, including foreign-based institutions. This will include oversight of the adequacy of capital, liquidity, leverage and stress testing requirements.

*Orderly Liquidation Authority and Living Wills.* The Committee will oversee efforts to promote the orderly resolution of any large financial institution operating in the United States that fails, including through Dodd-Frank Act's living wills requirements and the Orderly Liquidity Authority.

*Banking Activities and the Volcker Rule.* The Committee will examine the financial regulators' implementation of Section 619 of the Dodd-Frank Act, known as the "Volcker Rule." The Committee will also monitor the structure, ownership, activities and risk-taking by large depository institutions and their holding companies.

*Residential and Commercial Real Estate Mortgage Loans.* The Committee will monitor the residential and commercial real estate mortgage markets, including examining access to affordable and fair home mortgage lending, and the effectiveness of disclosures provided to borrowers about the terms and conditions of these loans. The Committee will also review proposals related to home improvement loans for improving the energy efficiency of a house.

*Community Development Financial Institutions Fund (CDFI Fund).* The Committee will monitor the operations of the CDFI Fund and the administration of initiatives to help reduce unbanked and underbanked populations, including in rural areas.

*Federal Deposit and Share Insurance.* The Committee will monitor the solvency of the Deposit Insurance Fund administered by the FDIC, and the National Credit Union Share Insurance Fund administered by the NCUA.

*Community Financial Institutions.* The Committee will review issues related to the health, growth, safety, and soundness of community banks and credit unions, as well as their role in lending to small businesses and promoting economic growth.

*Access to Credit for Small Businesses.* The Committee will consider proposals that facilitate access to affordable credit for small businesses, and will examine the ability for the public, regulators, and Congress to monitor trends in small business lending. The Committee will also review the effectiveness of the State Small Business Credit Initiative (SSBCI), which was administered by the U.S. Department of the Treasury and expired in 2017 and consider proposals to reauthorize the SSBCI.

*Cybersecurity and Privacy.* The Committee will monitor the effectiveness of cybersecurity in the U.S. financial system. The Committee will evaluate the current level of safeguards relating to protecting the security and confidentiality of personally identifiable information from loss, unauthorized access, or misuse. The Committee will also examine the effectiveness of data breach notifica-

tions, and issues of privacy and consumer control of their own data, including sensitive financial and credit information.

*Credit Scores and Credit Reports.* The Committee will examine the state of the credit reporting system, including the accuracy of credit scores to assess creditworthiness, the impact medical debt can have on credit scores, and the extent of consumer protections throughout the credit reporting system. The Committee will also examine implementation of the provisions related to credit reporting and credit scores in the Economic Growth, Regulatory Relief, and Consumer Protection Act.

*Financial Technology (fintech).* The Committee will examine the rapid developments with fintech, including marketplace lending for consumers and small businesses, partnerships with traditional financial institutions, cryptocurrency, blockchain, alternative data utilized in credit underwriting, artificial intelligence, and machine learning. The Committee will monitor the activities of financial regulators relating to fintech, including assessing existing authorities and regulatory gaps. The Committee will consider what legislation may be needed to promote responsible financial innovation.

*Payments System.* The Committee will review government and private sector efforts to improve the timeliness and effectiveness of the payments system in the United States, and its potential effect on consumers and small businesses.

*Credit and other Payment Cards.* The Committee will monitor payment card industry practices, including consumer protections with respect to the use of credit cards, debit cards, and prepaid cards. The Committee will also examine the effectiveness of the Credit Card Accountability Responsibility and Disclosure (CARD) Act of 2009.

*Money Services Businesses, Remittances, and De-risking.* The Committee will examine the operations of money services businesses and the role they play in the financial system. The Committee will also oversee the ability of consumers to utilize financial services to affordably remit cross-border payments, as well as consider proposals to mitigate financial institutions engaged in de-risking that results in unnecessary account closures.

*Financial Education.* The Committee will review efforts to promote greater financial literacy among consumers, particularly matters affecting traditionally underserved communities and populations.

*Cannabis Banking.* The Committee will examine the difficulties, including public safety concerns, cannabis-related businesses experience as a result of being unable to access basic banking services. The Committee will also review legislative proposals that alleviate legal and compliance risks for financial institutions related to providing such services to cannabis-related businesses in states where cannabis use, sale, or distribution is authorized.

## MONETARY POLICY

*The Federal Reserve System.* The Committee will conduct oversight of the operations and activities of the Federal Reserve System, including its conduct of monetary policy, its regulation and supervision of the financial services sector, its role in the payment system, and its susceptibility to cybersecurity threats and other se-

curity risks. The Committee will convene hearings to receive the testimony of the Chairman of the Board of Governors of the Federal Reserve System and related semi-annual reports on the conduct of monetary policy. As part of this effort, the Committee will review issues associated with monetary policy and the state of the economy, including whether the current path of monetary policy is consistent with the Federal Reserve's dual mandate of price stability and maximum employment, and how the independence of the Federal Reserve affects market participants' confidence in the conduct of monetary policy.

*The Economy and its Impact on Living Standards.* The Committee will examine the extent to which changes in the economy, and in particular, changes in labor and capital markets, public policy, and trade have altered the way in which policymakers should think about the relationship between economic growth, productivity growth, and growth in employment and incomes. The Committee will examine these relationships to determine policy responses that will increase our ability to improve the standard of living for American families.

*Tax Legislation and the Effect on the Economy.* The Committee will examine how the Tax Cuts and Jobs Act of 2017 affects the economy, including its impact on the national deficit and debt, the wealth gap, and low- and middle-income communities and minority communities. Additionally, the Committee will examine the effects of the Tax Cuts and Jobs Act on the financial services industry, specifically with respect to the effect of the lower corporate tax rate and pass-through tax provisions.

*Coins and Currency.* The Committee will conduct oversight of the printing and minting of U.S. currency and coins, including the activities of the Bureau of the Mint and the Bureau of Engraving and Printing, and of the operation of programs administered by the U.S. Mint for producing congressionally authorized commemorative coins, bullion coins for investors, and Congressional gold medals. The Committee will review efforts to detect and combat the counterfeiting of U.S. coins and currency in the United States and abroad. The Committee will also examine methods to reduce the cost of minting coins using alternative metals and will examine efforts to make currency more accessible to the visually impaired.

## INVESTOR PROTECTION AND ENTREPRENEURSHIP

*Securities and Exchange Commission (SEC).* The Committee will examine the operations and organizational structure of the SEC, with emphasis on its rulemaking, compliance inspections and examinations, and enforcement functions, and will review the SEC's general codes of conduct and other policies. The Committee will also monitor the SEC's process for granting waivers of certain legal disqualifications that arise from illegal misconduct of bad actors. Additionally, the Committee will evaluate the sufficiency of the SEC's available resources and staffing levels in light of the hiring freeze under which the SEC has operated since the beginning of the Trump Administration.

*Investor Confidence.* The Committee will examine the factors affecting investor confidence in U.S. capital markets, including investor perspectives on the quality, quantity, and utility of investment-

related disclosures; the effectiveness of public companies' internal controls over financial reporting; corporate accountability to shareholders; and, the costs of trading securities. The Committee will also review the effect on investor confidence of fraud and other misconduct and the SEC's efforts to hold bad actors accountable.

*Fiduciary Duty of Financial Advisers.* The Committee will examine the current regulation of and recent developments related to broker-dealers and investment advisers who provide financial advice to retail and institutional investors. The Committee will review the SEC's efforts to revise those regulations, consistent with Section 913(g) of the Dodd-Frank Act, to protect investors and reduce confusion by requiring all advisers, regardless of title, to comply with the same fiduciary standard that puts their clients' interests first. The Committee will also consider legislation related to the standard of care owed to investors by financial advisers.

*Mandatory Arbitration.* The Committee will examine the effect of mandatory arbitration requirements on securities investors, as well as the balance, fairness, and efficiency of the current arbitration system.

*Entrepreneurship.* The Committee will monitor market conditions affecting entrepreneurs' access to capital, with emphasis on the capital formation efforts of small businesses, including any unique challenges faced by minority-, women-, and veteran-owned small businesses. Additionally, the Committee will examine the conduct of intermediaries in the capital formation process, such as anti-competitive behavior among underwriters of initial public offerings (IPOs). The Committee will also consider legislative proposals to promote entrepreneurship and enhance the attractiveness of U.S. public equity markets to investors and businesses.

*Corporate Governance.* The Committee will review developments and issues concerning corporate governance of public companies, including proposals to increase accountability to shareholders through improved shareholder access to management's proxy, shareholder nomination of directors, and majority voting. The Committee will also examine ways to improve the integrity of the shareholder voting process and corporate sustainability disclosures, including those related to the effects of climate change.

*Executive Compensation.* The Committee will review the SEC's implementation of regulations requiring greater transparency in disclosures of executive compensation arrangements, including the SEC's and the other federal financial agencies' progress in completing related rulemakings mandated under the Dodd-Frank Act.

*Capital Formation in Private and Public Markets.* The Committee will examine the private and public capital markets and the factors U.S. companies evaluate when deciding to go public, such as underwriting fees. The Committee will monitor the use of new and expanded private offering exemptions from the JOBS Act, including Regulation D, Regulation A+, and Regulation Crowdfunding, and examine ways to improve investor protections in private offerings. The Committee will examine the current definition of "accredited investors" and ways to improve that definition to ensure that those investors have the financial sophistication and wherewithal to invest in private offerings.



## CAPITAL MARKETS

*Self-Regulatory Organizations (SROs).* The Committee will monitor the operations, initiatives, and activities of SROs, including the Municipal Securities Rulemaking Board (MSRB) and Financial Industry Regulatory Authority, Inc. (FINRA). The Committee also will consider limitations or regulatory gaps in the current SRO system and ways to streamline and strengthen the regulatory, compliance, examination, and enforcement structure.

*Hedge Funds and Private Pools of Capital.* The Committee will examine the current state of the hedge fund, private equity and alternative investment industry. The Committee will review the role hedge funds and private pools of capital serve in the capital markets, and their interaction with investors, financial intermediaries, and public companies. The Committee will also examine hedge funds and private equity funds as investment vehicles for pension funds.

*Investment Companies.* The Committee will review the current state of regulation of investment companies and their advisers with respect to mutual fund operations, governance, disclosure, and sales in the States and Territories. The Committee also will review the effectiveness and efficiency of the approval process for new products, such as exchange-traded funds, and the SEC's efforts to standardize that process. The Committee will also review the role investment companies played in Puerto Rico's fiscal crisis. The Committee will review Real Estate Investment Trusts (REITs) as investment vehicles and how the industry uses REITs to finance various projects, including the financing of private prisons and immigration detention centers.

*Credit Rating Agencies.* The Committee will examine the role that Nationally Recognized Statistical Ratings Organizations (NRSROs), also known as credit rating agencies, play in the U.S. capital markets, and review the effectiveness of the SEC's regulation and oversight of NRSROs. The Committee will also examine ways to limit conflicts associated with NRSROs compensation, approaches to increase their accountability, and the possibility of regulatory fee assessments.

*Financial Accounting and Auditing.* The Committee will review the Public Company Accounting Oversight Board's (PCAOB's) oversight of auditors of public companies and broker-dealers, including standard-setting and the results of the PCAOB's inspection programs. The Committee will also monitor the impact of exemptions to the scope of the auditing and internal controls requirements of the Sarbanes-Oxley Act of 2002, and the adequacy of investor protections applicable to exempt entities. The Committee will also monitor the work of the Financial Accounting Standards Board (FASB) and Governmental Accounting Standards Board (GASB).

*Cybersecurity.* The Committee will examine the risks that cybersecurity threats pose to the U.S. capital markets, including investment and operational risks associated with public companies. The Committee will also monitor the efforts of the SEC, self-regulatory organizations (SROs), and SEC-registered firms to guard against cybersecurity risks and protect sensitive, market-moving data and personally identifiable information (PII) of investors.

*Cryptocurrencies.* The Committee will review the emergence of the so-called “initial coin offering” (ICO) as a means of raising capital for blockchain-based enterprises. The Committee will examine concerns of increased risks of fraud and manipulation in the ICO markets. The Committee will also review the SEC’s oversight of the ICO markets and will consider legislative proposals to improve regulatory clarity for ICO issuers and investors.

*Fixed income markets.* The Committee will review recent developments in the U.S. corporate and municipal bond markets and the SEC’s response to those developments.

*Derivatives Markets.* The Committee will review recent developments in the U.S. derivatives markets and efforts to harmonize rules governing those markets domestically and internationally. The Committee will also examine the SEC’s progress in implementing the remaining regulations of the security-based swaps markets as mandated by the Dodd-Frank Act.

*Equity and options markets.* The Committee will review recent developments in the U.S. equity and options markets and the SEC’s response to those developments. The Committee will also examine brokers’ conflicts of interest arising from rebates and fees paid for client orders and the SEC’s efforts to address those conflicts through, for example, an access fee pilot. The Committee will monitor the development, implementation, and maintenance of the Consolidated Audit Trail (CAT), a market surveillance tool that tracks order events, including quotes, orders, executions, allocations, and associated customer data, and identifies the broker-dealer handling them.

*Trade Policy Impact.* The Committee will examine the impact of U.S. trade policy proclamations, announcements, decisions, and actions by the executive branch on U.S. securities markets, including market volatility, capital formation, corporate reinvestment, and investor confidence.

## NATIONAL SECURITY

*Office of Terrorism and Financial Intelligence (TFI).* The Committee will monitor TFI’s development and implementation of U.S. government strategies and programs to combat terrorist financing, money laundering, and other financial crimes, both domestically and internationally.

*Financial Crimes Enforcement Network (FinCEN).* The Committee will monitor the operations of FinCEN and its ongoing efforts to implement its regulatory mandates pursuant to the Bank Secrecy Act to safeguard the integrity of the financial system and combat money laundering, terrorist financing, and other illicit finance.

*Office of Foreign Assets Control (OFAC).* The Committee will examine the efficacy of economic and trade sanctions designations and enforcement.

*Money Laundering and Terrorist Financing.* The Committee will examine the implementation, effectiveness, and enforcement of anti-money laundering/counter-financing of terrorism (AML/CFT) laws and regulations, including opportunities to enhance compliance with these rules without impairing the operations of law enforcement. The Committee will examine patterns and trends of

money laundering and terrorist finance and consider proposals to prevent the abuse of the financial system.

*Counterterrorism Financing Policy.* The Committee will monitor the role of the U.S. Department of the Treasury in promoting the adoption and implementation of counterterrorism standards around the world, through international organizations such as the Financial Action Task Force (FATF), the International Monetary Fund, and the Egmont Group. The Committee will also monitor the Office of Technical Assistance at Treasury and its coordination with the other agencies, in the delivery of counter-terrorism financing training and other technical assistance abroad.

*Sanctions.* The Committee will examine sanctions programs to ensure that they are fully implemented consistent with Congressional intent and in alignment with U.S. foreign policy and national security goals. Particular attention will be paid to sanctions programs aimed at Russia, Iran, North Korea, and Cuba. The Committee will examine possible risks and consequences associated with the use of sanctions over the short and long term, as well as the role that multilateral cooperation may play in achieving effective sanctions programs.

*Beneficial Ownership.* The Committee will consider proposals to strengthen the AML/CFT laws and streamline compliance for U.S. financial institutions, including legislation designed to crack down on the use of anonymous shell companies for illicit purposes by requiring U.S. companies to disclose their beneficial owners.

*Real Estate.* The Committee will examine the risks of money laundering and terrorist financing in the real estate market, and review proposals to address any vulnerabilities identified in this sector.

*Trafficking.* The Committee will examine methods and policies to dismantle the underlying enablers of trafficking and will review typologies and potential solutions related to specific categories of trafficking, including human trafficking, weapons trafficking, and narcotics trafficking. The Committee will examine the nexus of this illicit criminal activity with terrorists and their networks.

*De-Risking at Financial Institutions.* The Committee will examine the practice by which financial institutions terminate accounts or limit services to broad categories of clients. The Committee will monitor the effectiveness of regulatory guidance and examine regulatory actions to ensure that such customers are not inappropriately denied access to the banking system.

*Corruption.* The Committee will examine the methods by which corruption flourishes and the means to detect and deter the financial misconduct that fuels this driver of global instability. The Committee will monitor government efforts to educate about and enforce U.S. anti-corruption law and regulation.

*Fraud and Cyber Intrusion.* The Committee will examine the facilitation and prevention of fraudulent activities that impact the financial system. It will also examine efforts to counter cyber intrusions that target the financial sector and system.

*Information Sharing.* The Committee will examine the kinds of safeguards required to ensure that civil liberties and consumer privacy are not undermined in the sharing of sensitive information among financial institutions, federal agencies, and other entities.

*Emerging Technologies.* The Committee will examine emerging technologies, such as cryptocurrencies, blockchain, and artificial intelligence. The Committee will monitor how such technologies affect and interact with the U.S. financial system, and how the technologies could be used to combat or be used in the pursuit of illicit purposes.

*Committee on Foreign Investment in the United States.* The Committee will monitor implementation of the Foreign Investment Risk Review Modernization Act of 2018 (FIRRMA) and actions taken by CFIUS to identify and address foreign investments that pose threats to national security. The Committee will examine FIRRMA-related rulemaking, Administration resources devoted to CFIUS activities, and the effectiveness of pilot projects authorized by the legislation.

*Defense Production Act.* The Committee will monitor the effectiveness of the Defense Production Act and its individual authorities in promoting national security and recovery from natural disasters.

## INTERNATIONAL DEVELOPMENT AND TRADE

*Global Economic Cooperation.* The Committee will monitor the role of United States leadership in the governance of the global economic system. The Committee will examine the degree to which sustained international cooperation helps advance U.S. national security, economic interests, and values.

*Oversight of the International Financial Institutions.* The Committee will examine U.S. participation in the international financial institutions (IFIs), including the International Monetary Fund, the World Bank, and the other multilateral development banks. The Committee will monitor accountability, openness, and transparency within the IFIs and the degree to which public participation in these institutions is a component of effective development and growth. The Committee will examine the World Bank's policies and operations in areas relating to labor markets and social protection policies.

*Global Poverty and Economic Inequality.* The Committee will examine the role and effectiveness of the multilateral development banks (MDBs) in helping to foster growth and reduce poverty in Africa, Latin America, and in other poor regions in the world. The Committee will examine how some growth strategies appear more effective at reducing poverty than others and assess the degree to which economic growth has translated into sustained poverty reduction in countries assisted by the MDBs. The Committee will examine how increasing income inequality negatively affects the poverty-reducing effect of growth in a number of countries.

*International Financial Architecture.* The Committee will review the annual report to Congress and testimony by the Secretary of the Treasury on the state of the international financial system and the International Monetary Fund (IMF). The Committee will examine the degree to which the IMF is focused on fighting corruption in its surveillance and program work, as well as its efforts, through technical assistance, to strengthen the capacity of Fund members to prevent money laundering and terrorist financing.

*IMF's 15th General Review of Quotas.* The Committee will consider any request from the Administration for legislation to authorize U.S. commitments pursuant to an IMF quota reform agreement.

*World Bank Group Capital Increase.* The Committee will consider any Administration request for congressional authorization for U.S. participation in capital increases for the International Bank for Reconstruction and Development and the International Finance Corporation.

*Replenishments of the International Development Association (IDA) and the African Development Fund (AfDF).* The Committee will monitor U.S. participation in the replenishment negotiations for IDA and the AfDF.

*The International Development Association (IDA) and the International Finance Corporation (IFC).* The Committee will examine financial transfers between IDA and the IFC with respect to both transparency and development impact. The Committee will monitor the degree to which IDA's bond issuances affect the ability of IDA to offer grants and highly concessional loans to the world's poorest countries.

*North American Development Bank (NADB).* The Committee will examine the provision of financing by the NADB for environmental infrastructure projects along the U.S.-Mexico border region. The Committee will consider legislation to authorize the first general capital increase for NADB.

*Food Security and Climate Finance.* The Committee will examine U.S. support for international agricultural development programs and multilateral cooperation on the global climate finance agenda.

*Developing Countries at Risk of Debt Distress.* The Committee will monitor efforts by the United States to engage with other members of the IMF to pressure China to adopt global standards and practices on sustainable debt financing for developing countries, including a commitment to lending transparency.

*Global Capital Flows.* The Committee will monitor the effects of the flow of capital globally, and, in particular, trends in foreign countries' investments of their large currency reserves in the United States and other countries. The Committee will examine the effects of the investment of these reserves on global financial stability and on multilateral policy initiatives. The Committee will also examine U.S. and multilateral policies on the regulation of capital flows.

*Trade in Financial Services.* The Committee will monitor trade negotiations and discussions as they pertain to investment and trade in financial services. The Committee will monitor the progress of the United States' trading partners in meeting financial services and investment commitments under existing trade and investment agreements, particularly with respect to policies by China that limit the ability of U.S. financial services firms to access Chinese markets. The Committee will examine the Administration's articulation of a long-term economic development strategy with respect to both manufacturing and services.

*Brexit.* The Committee will monitor the United Kingdom's process of withdrawal from the European Union, including its potential impact on the U.S. and global economy, transatlantic cooperation on economic and security issues including sanctions, counterter-

rorism efforts, and regulatory convergence between U.S. and foreign jurisdictions.

*Exchange Rates.* The Committee will review the semi-annual report to Congress from the Secretary of the Treasury on international economic and exchange rate policies. The Committee will monitor developments related to the exchange rate policies of our major trading partners and monitor the effects of those policies on the competitiveness of U.S. firms and on the stability of the international financial system.

*Export-Import Bank of the United States.* The Committee will examine the performance of the Export-Import Bank and its mission to support U.S. jobs by helping U.S. companies compete in the global economy. The Committee will consider legislation to reauthorize the Bank's charter before it expires on September 30, 2019. The Committee will also examine how the lack of a quorum on the Bank's Board of Directors has affected its ability to support American firms in the global market.

*Extractive Industries.* The Committee will examine the establishment of a global standard for the public disclosure of payments that extractive companies make to governments, as well as the effectiveness of these revenue transparency laws abroad.

*Supply Chain Due Diligence.* The Committee will examine supply chain due diligence laws in the U.S. and abroad, and their enforcement, and the effects of such laws on the ability of companies to responsibly manage risk associated with the financing of conflict, human trafficking, and child labor.

## DIVERSITY AND INCLUSION

*Diversity Data.* The Committee will review regulated entities' diversity data, including whether and how companies are: tracking internal and external workforce and supplier diversity activities to identify and mitigate vulnerable moments along the talent lifecycles; tying executives' performances to their ability to meet tangible diversity and inclusive goals; and, using such data to inform the composition of their boards of directors.

*Offices of Minority and Women Inclusion (OMWIs).* The Committee will examine all matters relating to the diversity and inclusion activities within the agencies under the Committee's jurisdiction, including the implementation of Section 342 of the Dodd-Frank Act and Section 1116 of the Housing and Economic Recovery Act (HERA) by the OMWIs, which are responsible for handling all matters relating to diversity in management, employment, and business activities within most federal financial agencies. This review will include, among other things, monitoring whether the agencies have allocated appropriate resources for their OMWIs, maintained frequent interaction with and direct reporting lines between the heads of the agencies and their OMWI Directors, and established tangible and measurable outcomes within their long-term strategic plans and daily operations to achieve a diverse and inclusive culture throughout all levels of their agencies.

*Workforce, Supplier, and Business Diversity Efforts Within Agencies and Their Regulated Entities.* The Committee will consider measures to further leverage diverse and inclusive perspectives, skills, and talents within the workforces of agencies under the

Committee's jurisdiction, particularly at the middle- and senior-management level, executive, and C-suite positions, to help improve the agencies' services, foster greater innovation, and develop novel solutions. The Committee will also monitor agencies' policies and practices, as well those of their regulated entities, to ensure that workplace environments operate in a fair, transparent, and non-discriminatory manner for all their employees by ensuring that racial, ethnic, and gender minorities, without regard to their sex, including sexual orientation; gender identity; sex stereotypes; and pregnancy, childbirth, or a related medical condition, have equal opportunities.

*Recruitment, Retention and Promotion.* The Committee will review the policies and practices of all the agencies under the Committee's jurisdiction, and of their regulated entities, to promote the recruitment, retention, and promotion of a diverse pool of employees, throughout all levels, of each organization but particularly at the middle- and senior-management level, executive, C-suite, and board of director positions. The Committee will review the commitment and behavior of leaders, as well as consider measures, to ensure that diversity and inclusive goals are effectively transmitted throughout their organizations, including holding managers accountable for achieving diverse and inclusive environments.

*The Rooney Rule.* The Committee will consider policies that mandate the consideration of diverse employment candidates (referred to as "The Rooney Rule"), and whether and how it has affected diversity and inclusion efforts, including efforts by the Federal Reserve to identify and select a diverse pool of candidates for senior-management positions throughout the entire Federal Reserve System.

*Vendor, Contractor, and Business Diversity.* The Committee will monitor the agencies' efforts to increase diversity within their vendor and contractor pools, and may consider methods to address any challenges, or other barriers, to the agencies' capacity to enhance their supplier and business diversity. The Committee will also consider changes to increase the transparency of the diversity practices of the FHFA's regulated entities, including requiring public reporting of the total dollar amounts these entities spend on third party vendors and service providers and the amounts paid to firms that are minority-owned, women-owned, disability-owned, and other diverse-owned businesses on a regular basis.

*Financial and Economic Inclusion.* The Committee will monitor the availability and affordability of financial products and services to communities such as underserved rural, urban, Tribal, indigenous and other minority communities, and certain populations such as immigrants, active-duty servicemembers and veterans and their families, older (including retired) Americans, young adults and college students, state- and federally-recognized Tribes, indigenous peoples, and low- and moderate-income consumers. The Committee will evaluate methods to expand access to the traditional financial services system to people in different social, income, and economic segments in this country, including methods to broaden homeownership, increase wages, promote employment within high-growth industries, encourage savings (including retirement savings), and investments.

*Wealth, Income Inequality, and Income Mobility.* The Committee will examine the existing differences in wealth and income among American households across the country. The Committee will evaluate proposals to reduce disparities in opportunity that continue to persist across different segments of our society and that were exacerbated in the run-up to, and the fallout from, the 2008 financial crisis. The Committee will consider how the economic disparities in this country compare with other countries and whether successful approaches by other countries to reduce such disparities could serve as models for the U.S. The Committee will also monitor, among other things, whether economic opportunity zones have been successful in promoting intra and intergenerational income mobility. This review will include an assessment of the effect on employment and income mobility of factory and manual workers from trade agreements and the increasing use of automation by companies.

*Public Companies.* The Committee will consider proposals to enhance diversity and inclusion practices and policies at public companies, including by more transparently reporting information about the diversity of perspectives and backgrounds, and the selection process of those who serve in middle- and senior-management level, executive, C-suite positions, and boards of directors.

*Diverse Entrepreneurs and Access to Capital.* The Committee will monitor challenges faced by, and consider solutions to, encouraging the creation and growth of diverse entrepreneurs' businesses, particularly any unique challenges faced by minority-owned businesses, women-owned businesses, veteran-owned businesses, Native-owned businesses, disability-owned businesses, and small businesses in obtaining access to capital and opportunities to obtain a fair allocation of federal funds and participation in federal programs. The Committee will also review how corporations collaborate with minority-owned, women-owned and other diverse-owned firms in their capital markets activities, including but not limited to, the investment of pension, union, and retirement funds; externally managed investment and non-indexed funds; and alternative investments. The Committee will also monitor the implementation of data collection measures that could more effectively and efficiently inform the public, investors, regulators, and Congress about patterns and trends of business lending and other types of financing.

*Minority Depository Institution (MDIs).* The Committee will monitor the federal financial regulators' compliance with the goals under Section 308 of the Financial Institutions Reform, Recovery, and Enforcement Act (FIRREA) and may consider other ways to further support MDIs.



# COMMITTEE ON FOREIGN AFFAIRS

## Oversight Plan

### 116th Congress

#### 1. INTRODUCTION

Pursuant to the requirements of clause 2(d) of House Rule X, the Chairman of the Committee on Foreign Affairs (“the Committee”) has prepared this oversight plan for the 116th Congress, which will be submitted to the Committee on Oversight and Reform and the Committee on House Administration. This plan summarizes the Committee’s oversight priorities for the next two years, subject to the understanding that new developments will undoubtedly affect priorities and work assignments in the months ahead.

Agency and program oversight are key responsibilities of the legislative branch. Committee Rule 15 requires each Subcommittee to hold regular oversight hearings that, according to usual practice, include an annual hearing on the portions of the Administration’s budget request within that Subcommittee’s jurisdiction. A new Subcommittee on Oversight and Investigations has been created to enhance the Committee’s oversight capabilities. Oversight activities will be coordinated between the Committee and the Subcommittees in order to facilitate comprehensive and strategic review of the programs and agencies within the Committee’s jurisdiction.

These Committee activities may include hearings, briefings, reports, and investigations, Member or staff-level meetings, correspondence, fact-finding and oversight travel, reports, and public statements. They may also include effective use and review of reports by the Government Accountability Office and by statutory Inspectors General, as well as Congressional Notifications submitted by executive branch agencies. The Committee will consult, as appropriate, with other committees of the House that may share jurisdiction over relevant issues and activities.

The Committee’s authorization and oversight activities will emphasize:

- effectiveness of U.S. foreign policy;
- effective implementation of U.S. law;
- the review of agencies and programs in the Committee’s jurisdiction;
- effective management and administration, and institutional modernization;
- appropriate resourcing of U.S. foreign policy and programs.

#### 2. PRIORITY OVERSIGHT MATTERS

*a. Russia:* The Committee will address the impact of Russia’s foreign policy on U.S. security, political, and economic interests, as a

result of its aggression and related hostile actions regarding NATO, Ukraine, Georgia, and other countries. It will also examine Kremlin-driven efforts to undermine the governments and other institutions of the U.S. and other countries through cyber intrusions, propaganda and other tools. The Committee will examine the range of options available to the U.S. to respond to these actions, including legislation to impose further sanctions on Russia and provide assistance to vulnerable countries. The Committee will also review the deteriorating domestic situation in Russia regarding democracy, civil society, the rule of law, and human rights. It will also examine ways to reduce Russia's ability to use its energy exports for political and economic coercion. In addition, the Committee will closely assess strategic stability and related arms control agreements with Russia to reduce the risk of nuclear conflict. The Committee will consult widely with experts to inform the measures the U.S. Government and other allies and partners should pursue on these matters. Working in tandem with other relevant committees, the Committee will investigate the substance and nature of President Trump's exchanges with Russian president Vladimir Putin as they relate to the development and implementation of U.S. foreign policy on Russia.

*b. Ukraine/Georgia:* The Committee will closely monitor Russian-supported separatist activity and other aggressive actions aimed at undermining Ukraine's sovereignty, including the forcible and illegal annexation of Crimea. The Committee will continue to examine the U.S. response to this aggression in light of the long-standing U.S. foreign policy doctrine of non-recognition of territorial changes effected by force alone. The Committee will assess the situation in Georgia and consider measures the U.S. Government can take to promote effective, democratic governance in these while turning back Russian intrusion. In addition, the Committee will actively oversee efforts to work with these countries to strengthen their military and security services, promote economic growth, combat corruption, and promote an effective and democratic government.

*c. Europe/Eurasia:* The Committee will review U.S. relations with European countries, with an emphasis on the European Union and NATO. Key issues include continued reassurance and support for our NATO allies, particularly in Central and Eastern Europe; rule of law and border security; U.S.-European cooperative efforts to combat terrorism and extremism; and diversification of energy sources to reduce reliance on Russian energy. The Committee will focus on strengthening our important strategic relationships with allies and partners in order to bolster American security and deter adversaries. The Committee will also scrutinize the nexus of populism, alignment of far left and far right political forces and increasingly autocratic governments, including those in Hungary, Poland, and Turkey. Similarly, the Committee will work to support comprehensive peace in the Balkans, including mutual diplomatic recognition between Serbia and Kosovo, while working to counter outside malign influences throughout the region. Similarly, the Committee will deeply engage on related Balkan matters such as NATO and EU accession for all countries in the region. The Committee will also continue oversight of U.S. political, security and economic

policy in Central Asia, with a particular focus on strengthening partnerships to advance mutual security interests, including countering violent extremism, as well as efforts to promote economic development, human rights, and good governance.

*d. Turkey:* The Committee will examine Turkey's evolving foreign policy orientation and its domestic political trends—including but not limited to its crackdown on domestic freedoms, its efforts to combat ISIS and the spread of extremism, its role as it pertains to conflict and refugees in Syria, its relationship with the Kurds, its relationship with the European Union, its continued occupation of the Republic of Cyprus, and the health of the long term U.S.-Turkey strategic relationship.

*e. Afghanistan:* The Committee will comprehensively review U.S. policy toward Afghanistan. Particular focus will be paid to the Administration's efforts to bring the war in Afghanistan to an end through a coordinated peace and reconciliation effort. The Committee will also pay close attention to the Afghan government's various reform efforts related to addressing corruption, improving governance, electoral reforms, and strengthening security. This review will assess the effectiveness of international aid and U.S. assistance programs, the broader political-military and associated counterterrorism strategies, and the full range of policies related to the post-2014 transition, including programs and budgeting processes.

*f. Pakistan:* The Committee will review all elements of U.S. policy toward Pakistan, including efforts to eliminate safe havens for violent extremists and establish a stable, democratic country. This review will encompass both U.S. civilian and security assistance to Pakistan, in order to assess the extent to which such programs effectively advance U.S. national interests. The Committee will also conduct ongoing oversight of matters relating to Pakistan's nuclear program, including issues relating to nonproliferation, such as the legacy of the A.Q. Khan network.

*g. North Korea:* The Committee will review and work to address the threat posed by North Korea. Particular focus will be paid to North Korea's nuclear, chemical and biological weapons programs, its ballistic missile program, and the possible proliferation of these weapons and delivery systems. The Committee will also examine North Korea's conventional weapon sales, other illicit activities, cyber-attacks, human rights violations, as well as U.S. efforts to assist North Korean refugees. The Committee will review U.S. diplomatic efforts, U.S. information dissemination efforts, the implementation of U.S. and international sanctions, the impact of current negotiations on U.S. alliances in Asia, whether the executive branch is keeping the legislative branch fully informed of regional developments and U.S. policy toward North Korea, and consider next steps in U.S. policy to address the North Korean threat.

*h. Indo-Pacific:* The Committee will review the U.S.'s significant political, economic, and security interests in the Indo-Pacific, including East and Southeast Asia, South Asia, and the Pacific Islands. The Committee will conduct oversight of U.S. relations with countries in the Indo-Pacific, including foreign policy, foreign assistance, the strength of U.S. relationships with and among alliances and partners, security cooperation, territorial disputes, influ-

ence operations and trade relations, including export controls for sensitive technologies to China. The Committee will evaluate the State Department's participation in multilateral organizations such as the Asia-Pacific Economic Cooperation (APEC) forum, the Association of Southeast Asian Nations (ASEAN) and the East Asia Summit, and closely monitor any discussion of future trade agreements in Asia. The Committee will monitor the totality of the U.S. relationship with Taiwan as provided for in the Taiwan Relations Act.

*i. India:* The Committee will review U.S. policy towards India and the continued expansion of bilateral cooperation. Particular attention will be paid to the U.S.-India security relationship, including cooperation on counterterrorism efforts and developments since the 2015 defense framework agreement and India's designation as a "Major Defense Partner." The Committee will also focus on efforts to enhance U.S.-India economic and trade relations, and collaboration on efforts to address global climate change and support for the international rules-based order, stalled efforts to initiate civil nuclear cooperation and the implications of India's rapidly growing energy demands will also be reviewed.

*j. China:* The Committee will examine China's role in the Asia-Pacific region and beyond. Particular focus will be placed on China's influence operations globally, its assertiveness in territorial disputes, military modernization, and human rights abuses, including treatment of Tibetans, Uyghurs and other religious and ethnic minorities. The Committee will also consider China's adherence to agreements made with Hong Kong under the "one country, two systems" principle enshrined in the Basic Law. In addition, the Committee will examine China's role in the global economy, including trade, technology, energy, infrastructure, and its approach to assistance, including its Belt and Road Initiative. The Committee will review China's cooperation on international nonproliferation efforts against North Korea. The Committee will investigate China's increasing use of cyber and economic espionage to affect foreign trade, and other policy outcomes.

*k. Sub-Saharan Africa:* The Committee will review political, economic and security developments on the African continent, including the rise of geopolitical competition with Russia, China, and among the Gulf Arab States on the continent. Key issues will include efforts to strengthen democratic institutions, advance human rights, promote peace and security, and stimulate investment and equitable economic growth—including through the implementation of the African Growth and Opportunity Act and the Electrify Africa Act. The Committee will also focus on strengthening ties to the African Union and its regional economic communities, which are key partners in facilitating regional economic integration, protecting human rights, and advancing peace and security on the continent. Particular attention is to be paid to developments in the Democratic Republic of the Congo, Nigeria, Sudan, Zimbabwe, South Sudan, Somalia, Ethiopia, South Africa, Kenya, Uganda, Cameroon, Mali, and Niger.

*l. Western Hemisphere:* The Committee will assess the effectiveness of U.S. policy towards the countries of the Western Hemisphere and the strategic importance of a positive U.S. agenda in

the Americas. Special emphasis will be placed on developments in political, security and economic cooperation with our partners in Canada and Mexico. Efforts for further collaboration with Argentina and Brazil will also be explored. The Committee will address the security challenges posed by transnational criminal organizations and other illegal armed actors. Challenges to democracy, human rights, the rule of law, anti-corruption efforts and press freedom in the Americas also will be examined. The Committee will closely monitor the humanitarian crisis in Venezuela and its impact on the Venezuelan people and countries throughout the region, as well as U.S. efforts to hold government actors in the country accountable. In the Northern Triangle countries of Central America, the Committee will assess the conditions that drive child and family migration and the appropriate response from the State Department, USAID and other international affairs agencies. In Nicaragua, the Committee will assess appropriate actions to continue to hold the country's government and security forces accountable for human rights abuses. In Colombia, the Committee will evaluate the implementation of the country's peace accords and ongoing counternarcotics efforts. The Committee will continue to closely monitor U.S.-Cuba relations and the health incidents impacting U.S. government personnel serving in Cuba. The Committee will continue its oversight of State Department and USAID assistance for reconstruction efforts in Haiti, as well as efforts to enhance U.S. energy, security and diplomatic cooperation with the countries of the Caribbean under the United States-Caribbean Strategic Engagement Act of 2016.

*m. Syria:* The Committee will scrutinize U.S. efforts to address Syria's ongoing civil war, the war crimes committed by the Assad regime other parties, and the role of Iran, Russia, Turkey and our Kurdish partners in the conflict. Particular attention will be paid to the Administration's decision to withdraw most U.S. forces from Syria, and the implications of that decision on U.S. personnel, allies, and interests. The Committee will also examine the consequences of the Administration's decision to suspend stabilization assistance in Syria and evaluate U.S. efforts to prevent international reconstruction funds from assisting the Assad regime until a sustainable political solution is achieved and the regime allows for the safe, dignified and voluntary return of the outstanding six million displaced Syrians. The Committee will examine the impact of Syria's refugee crisis on regional states including Turkey, Jordan and Lebanon. The Committee will continue to review economic and diplomatic means by which to influence events in Syria.

*n. Countering Violent Extremism:* The Committee will examine the current status of al-Qaeda and its affiliates, with a specific focus on recruitment efforts, evolving safe havens, and efforts to obtain WMDs. The Committee will also scrutinize the Administration's efforts to defeat ISIS in the Middle East and around the world, including authorizations for such efforts, leveraging other countries' commitments, evaluating U.S. leadership in the Coalition to Defeat ISIS, and determining the success of U.S. policies that seek to address the socio-economic challenges that led to the initial establishment and growth of ISIS. The Committee will conduct oversight of the State Department's various counterterrorism pro-

grams, including those designed to counter violent extremism (CVE), as well as agreements with foreign governments relating to the transfer of detainees from Guantanamo Bay.

*o. U.S. Policies and Actions in the Arabian Peninsula:* The Committee will evaluate the U.S. role in the Gulf, particularly the role that the United States plays in Yemen, as well as ways that the United States can help bring the conflict to an end and address the serious security and economic concerns that have plagued Yemen for decades. The Committee will also review the U.S. relationship with members of the Saudi-led coalition in Yemen as well as U.S. policy options to build leverage with the Houthis in order to encourage compromise and a sustainable resolution of the conflict. The Committee will examine the status of rights of women, journalists, political dissidents and bloggers in the Gulf, and the extent to which current U.S. policy prioritizes human rights, the core of U.S. values.

*p. Iran:* The Committee will continue to closely review U.S. policy toward Iran, with a special focus on evaluating how the U.S. withdrawal from the JCPOA impacts the interests of the United States and our allies. The Committee will also review and work to address the threat posed by Iran's ballistic missile development, state sponsorship of terrorism and growing influence in Iraq, Syria, Yemen, and Lebanon, as well as the regime's ongoing human rights abuses, including the continued prolonged detention of Americans. The Committee also seeks greater understanding of the Administration's strategy to change Iran's behavior.

*q. Israel and Palestinian Issues/Middle East Peace:* The Committee will evaluate efforts by the Administration to advance peace between Israelis and Palestinians and will examine whether the Administration's strategy and recent policy changes have helped bring the parties closer to a two-state solution. The Committee will also review how the Administration has sought to build ties between Israel and various Arab countries in the region. The Committee will examine the consequences of changes to U.S. assistance to Palestinians and the implications of these decisions for our allies and interests. The Committee will look at the various ways that the Administration seeks to build cooperation with Israel in an effort to expand this mutually beneficial relationship.

*r. Middle East and North Africa:* The Committee will carefully review U.S. policy toward the Middle East and North Africa, to include: the extent to which U.S. foreign assistance is being utilized in Iraq to help address the inequities that brought about the initial rise of ISIS; the democratic transition in Tunisia; the status of political negotiations in Libya; the impact of Chinese economic and diplomatic investment in the Middle East; the consequences of low oil prices for various oil-producing states; human rights and challenges to the rule of law throughout the region; and United States policies, programs, authorities and funding to address these challenges.

*s. State Department and U.S. Agency for International Development Oversight, Authorization, and Modernization:* The Committee will seek to pass a State Department Authorization bill as one has not been enacted since 2002. Emphasis will also be placed on modernizing personnel systems and practices, increasing workforce

flexibility and improving recruitment and retention processes, with a focus on ensuring that Department of State personnel better represent the diversity of the United States. The Committee will continue to monitor and examine the operations, budget, programs, planning, workforce training, building, and security policies with an eye toward authorization for Fiscal Year 2020. In addition to hearings with the Secretary of State and other Administration officials regarding their budget proposals for the upcoming year, such efforts may include: revisions to the Foreign Service Act; the Foreign Assistance Act; consideration of reforms to Executive Branch reporting requirements; and a reduction or consolidation of offices with duplicative mandates and overlapping responsibilities. In the wake of increasing threats to U.S. personnel serving overseas, the Committee will continue to evaluate the security of our embassies and consulates, along with proposed reforms to the State Department's diplomatic security service to promote the personnel safety in the context of appropriate evaluation of risk.

*t. Employee Retaliation:* The Committee will investigate ongoing allegations of politically-motivated retaliation against State Department and USAID employees, including individuals who have alleged they were subjected to prohibited personnel practices on account of their national origin, sexual identity, perceived political views, or in response to whistleblowing.

*u. Foreign Assistance:* The Committee will review the underlying authorities for U.S. foreign assistance with an eye towards reducing duplication, increasing transparency and effectiveness, and modernizing the foreign assistance workforce. It will also review issues related to the implementation of U.S. foreign assistance programs and projects, including the role of U.S. missions and embassies in overseeing grants, contracts, and cooperative agreements. In addition, the Committee will review issues related to coordination between the U.S. Agency for International Development (USAID) and other U.S. Government agencies and departments involved in carrying out U.S. foreign assistance, as well as USAID's proposed Redesign of its internal structure to ensure its congruency with foreign policy priorities and the appropriate use of U.S. foreign assistance. Among a broad range of issues, the Committee will review U.S. foreign assistance initiatives aimed at providing life-saving humanitarian assistance, catalyzing economic growth, reducing aid dependence, and addressing food security and global health challenges, including food aid reform, maternal health and child survival, infectious disease surveillance and control, and resilience of developing communities to weather shocks and stresses, including climate change. The Committee will also exercise oversight over the implementation of the BUILD Act, P.L. 115-254, which will transform the Overseas Private Investment Corporation (OPIC) into the International Development Finance Corporation. Assistance provided through the Millennium Challenge Corporation will also receive close scrutiny.

*v. Global Health:* The Committee will examine key global health issues, in particular the harmful impacts of Administration policies of re-imposing the Global Gag Rule and eliminating funding to UNFPA on women's health services and access to reproductive health. Additionally, the Committee's oversight will include review-

ing the implementation of Congress's 2018 reauthorization of PEPFAR, progress on global TB elimination, support for maternal and child health, and the upcoming replenishment of the Global Fund to fight AIDS, TB and malaria. The Committee will also conduct oversight on infectious disease surveillance and control and strengthening of health care systems, particularly in light of the ongoing Ebola outbreak in DRC.

*w. Climate Change, Energy, and the Environment:* The Committee will examine the effectiveness of U.S. policy on climate change, including this Administration's announced intent to withdraw from the Paris Climate Accord and its impacts on our diplomatic relations, our development assistance, and multilateral engagement. We will explore the impacts of climate change on national security, its contributions to displacement and social unrest across the globe, and how we can advance a path toward climate stabilization. We will consider the evolution of the global energy landscape, emphasize good governance of existing resources, and work to assure energy security for the U.S. and our allies. The committee will also oversee engagement on environmental issues including wildlife trafficking, international conservation efforts, and the role and safety of environmental activists across the globe.

*x. Economic Policy and Trade:* The Committee will oversee international economic policy, including U.S. leadership in trade, finance, energy, technology, and development policy to promote economic prosperity and national security.

*y. Export Control Reform:* The Committee will oversee the implementation of the Export Controls Act, contained in Title XVII of P.L. 115–232. The Committee also will oversee the implementation of Executive Branch reforms to U.S. strategic export controls. In particular, the Committee will assess the extent to which recent and any proposed new changes to the U.S. Munitions List and the Commerce Control List effectively safeguard critical technologies and national security, while supporting the defense industrial base and advancing U.S. commercial interests.

*z. U.S. Nonproliferation Policy:* The Committee will examine the effectiveness of U.S. nonproliferation policy and the international nonproliferation regime in preventing the spread of weapons of mass destruction. The Committee will address opportunities to strengthen existing nonproliferation organizations, especially the International Atomic Energy Agency, increase cooperation with other countries, and enhance international nonproliferation agreements and mechanisms. Prominent issues will include the global expansion of civil nuclear power and the potential spread of technology, equipment and material useful in the development of nuclear weapons capabilities. The Committee will closely examine proposed and existing bilateral nuclear cooperation agreements with other countries, including their potential to promote U.S. nonproliferation objectives and commercial interests.

*aa. Security Assistance and Arms Transfer Policy:* The Committee will assess the effectiveness of security assistance programs authorized under the Foreign Assistance Act and the Arms Export Control Act in advancing U.S. national interests. In addition, the Committee will review those security cooperation programs funded by the Department of Defense but which require concurrence of the



Secretary of State, or otherwise give rise to the Committee's jurisdiction. The Committee will also review law and policy relating to U.S. arms transfers and related end-use monitoring, as well as various counterterrorism tools that impact foreign policy. The Committee will also continue to carefully review proposed arms sales to ensure they comport with U.S. foreign and national security policy and benefit the legitimate defense needs of the recipient countries, as well as the process by which the Administration consults with the Committee and the Congress on such sales to ensure proper oversight.

*bb. U.S. International Broadcasting:* The Committee will continue to actively monitor and review the operations and organization of U.S. government-supported, civilian international broadcasting to respond more effectively to the challenges presented by state and non-state actors using modern communication platforms. The Committee will closely oversee the implementation of the reforms enacted in the 114th Congress, and seek further improvements in this critical area.

*cc. Human Rights and Democracy:* The Committee will review whether the administration is maintaining America's longstanding role as a champion of human rights and democracy around the world, including in post-transition environments. The Committee will assess U.S. involvement with multilateral human rights organizations, to ensure that U.S. diplomacy serves to promote fundamental human rights and freedoms.

*dd. United Nations and International Organizations:* The Committee will closely review all aspects of U.S. funding of, and participation in, international organizations. The Committee will closely monitor the work of the United Nations Department of Peacekeeping Operations and Department of Field Support, and particularly efforts to improve performance and enhance accountability. The Committee will also seek to ensure America's engagement with UN institutions will support international diplomatic and development goals, including the Sustainable Development Goals. Close attention will be paid to the extent to which the Administration's strategies in international organizations has led to better treatment of Israel and increased transparency, accountability, and reform of those organizations.

*ee. Cybersecurity:* The Committee shall conduct oversight over U.S. efforts to examine and devise appropriate responses to cyber threats from foreign governments, non-state actors, and criminal networks that target the United States. The Committee will also examine efforts by U.S. adversaries to undermine the government, democratic and other institutions of the United States and other nations through cyber intrusions.

*ff. Conflicts of Interest Abroad:* The Committee will investigate possible conflicts of interest presented by members of the Administration's personal and business interests abroad and the impact of such interests on the development and implementation of U.S. foreign policy.

## **ADDITIONAL VIEWS**

I appreciate being provided the opportunity to review the text of the Chairman's proposed oversight plan for the 116th Congress, pursuant to the recently revised House Rule X(2)(d). According to that revision, the formal author of the report is now the Chairman, rather than the Committee as a whole. As such, wherever the new report speaks of what "the Committee" intends to do, it should be read as reflecting the intent of the Chairman, exercising his prerogatives under House and Committee rules, rather than the Committee as a whole. Committee Rule 11(b) continues to preclude the release of any document purporting to express publicly the views of the Committee unless it has been approved by a majority of the Committee.

In recent years, the Committee has exercised significant, proactive oversight over the agencies and programs within our jurisdiction, on an overwhelmingly bipartisan basis. I am hopeful that this commitment to even-handed oversight will continue into the future. To that end, I am encouraged to note the significant continuity between most of the Chairman's plan for the 116th Congress and the prior Committee Oversight Plan for the 115th Congress.

Of course, the new oversight plan also includes changes and additions. Some are updates that reflect new circumstances and developments in the world. Others reflect the differing priorities of the new majority. Unfortunately, some changes are objectionable, and reflect the injection of partisan oversight priorities beyond what the prior majority indulged, even during a Democrat administration. It is unfortunate that their plan personally identifies the President and certain interactions with foreign leaders that fall within the constitutionally rooted Presidential Communications Privilege identified by our courts. It is also problematic that the "Global Health" subsection inserts new priorities related to abortion advocacy. Republican Members of the Committee continue to believe strongly that maintaining broad public support for our overseas programs requires precluding the expenditure of taxpayer funds for divisive and deeply objectionable purposes, such as funding for organizations overseas that perform or promote abortion as a method of family planning, or that support or participate in the management of a program of coercive abortion or involuntary sterilization. It is my sincere hope that the Committee will not expend its energies on these partisan pursuits when there are so many other issues vital to our national security that demand our attentions.

I look forward to working with my friend Chairman Engel to maintain the traditional oversight standards of the Foreign Affairs Committee during the 116th Congress.

MICHAEL T. McCAUL,  
*Ranking Member.*

## DISSENTING VIEWS

The Committee on Foreign Affairs Oversight Plan for the 116th Congress states, “The Committee will examine key global health issues, in particular the harmful impacts of Administration policies of re-imposing the Global Gag Rule and eliminating funding to UNFPA on women’s health services and access to reproductive health.” Incorporating Ranking Member McCaul’s objection with respect to use of the term “Committee” and noting that this Oversight Plan reflects the personal views of Chairman Engel as it was never subject to vote by the Committee, we believe that foreign assistance should be life-affirming: it should support the health of both women and their unborn children. Global health goals should be evaluated with this aim in mind.

Use of the term “Global Gag Rule” is inartful and needlessly polemical. Protecting Life in Global Health Assistance (PLGHA) affirms respect for unborn life in foreign aid funding by requiring foreign nongovernmental organizations (NGOs) to agree, as a condition of their receipt of US federal grant money, to neither perform or promote abortion as a method of family planning overseas. Issued by President Trump on January 23, 2017, the PLGHA policy was implemented on May 9, 2017, by the Secretary of State in coordination with Secretary of Health and Human Services (HHS). It applies to funds appropriated for global health assistance through the Department of State (DOS), U.S. Agency for International Development (USAID), and the Department of Defense (DOD).

DOS, USAID, DOD, and HHS have been applying PLGHA to new grants and existing grants eligible to receive new funding. On February 7, 2018, DOS released a six-month review of PLGHA. At that point, PLGHA had been applied to 733 awards. Prime partners declined to sign in only four instances out of 733 awards, so roughly 99.5% of prime partners who had the opportunity to accept the terms of PLGHA did so. If a partner declines to agree to the terms of PLGHA and funds are redirected to other organizations, the level of funding available for that country remains the same.

U.S. foreign assistance should invest in women’s healthcare, not abortion. PLGHA does not reduce funding for international health assistance or family planning. The choice is up to these organizations to either change their business practices or forego federal funding. If NGOs choose to stop performing and promoting abortion, they can again be eligible for federal grant money.

For three decades, the United Nations Population Fund (UNFPA) has been widely denounced for its involvement in China’s birth-limitation policy, which relies on coerced abortion. Yet it has refused to sever its links with the Chinese government.

In 2016, China transitioned its “one-child-per-family” policy to a “two-children-per-family” policy. However, this revised state-imposed birth limitation does not eliminate the penalties that citizens

face for violating the law. In China, reports of coerced abortions and sterilizations continue. According to DOS's 2017 Human Rights Report on China, many provinces require women who violate the family-planning policy to obtain an abortion. Some provinces, including Hubei, Hunan, and Liaoning, declare this explicitly; other provinces refer euphemistically to "remedial measures."<sup>2</sup> Even in provinces that do not officially require abortions, local officials may still choose to coerce women into obtaining them.

The Kemp-Kasten Amendment mandates that no U.S. government funds be distributed to "any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization." Applying the Kemp-Kasten Amendment, the Trump Administration determined for both fiscal year 2017 and 2018 that UNFPA had participated in China's coercive population programs. Funds were redirected to USAID's family planning, maternal health and reproductive health activities, thus vitiating any assertion of aggregated "harmful impact" upon "women's health services and access to reproductive health."

Until UNFPA recognizes China's coercion and disassociates itself, contributing to UNFPA would send a signal of U.S. approval for China's government control over birth permits and its forced sterilization and abortion. Redirecting U.S. foreign aid dollars sends a message that coercion is unacceptable and we will fund programs that provide true health care.

Thank you for your consideration of these views.

CHRISTOPHER H. SMITH.  
ANN WAGNER.  
SCOTT PERRY.  
STEVE CHABOT.  
JOE WILSON.  
TIM BURCHETT.

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<sup>2</sup> <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2017&dld=277073#wrapper>.



# **COMMITTEE ON HOMELAND SECURITY**

## **OVERSIGHT PLAN**

### **COMMITTEE ON HOMELAND SECURITY**

#### **116TH CONGRESS**

Pursuant to rule X, Clause 2(d) of the Rules of the House of Representatives for the 116th Congress, each standing Committee of the House of Representatives is required to submit an oversight plan to the Committee on Oversight and Reform and the Committee on House Administration by March 1 of the first session of the Congress. This is the oversight plan of the Committee on Homeland Security for the 116th Congress. The oversight plan includes the areas in which the Committee expects to conduct oversight this Congress but does not preclude oversight or investigation of additional matters.

#### **OVERSIGHT, MANAGEMENT, AND ACCOUNTABILITY**

During the 116th Congress, the Committee will conduct oversight of the Department of Homeland Security's (DHS) activities relating to human capital recruitment and retention, acquisitions, systems modernizations and other departmental functions essential to the Department effectively and efficiently fulfilling its critical missions. The Committee will also examine the Department's ongoing efforts to consolidate its headquarters at St. Elizabeths. Additionally, the Committee plans to conduct oversight of the Department's capstone strategy document, the Quadrennial Homeland Security Review (QHSR), which was required by law to be published in December 2017 but has not yet been released. Finally, the Committee will investigate homeland security programs and practices, as warranted.

#### **HUMAN CAPITAL MANAGEMENT**

The Committee will monitor the Department's efforts to plan and implement strategic human capital management programs that address current and emerging human capital challenges, including persistent low morale among the Department's workforce and ongoing problems with retention and hiring at U.S. Customs and Border Protection as well as other components within the department. Additionally, the Committee will examine the authorities and activities of the Chief Human Capital Officer (CHCO) and the coordination of policy between and among the Department's CHCOs.

#### ACQUISITION, PROCUREMENT, AND CONTRACT MANAGEMENT

The Committee will review the Department's major acquisition programs and procurement and contracting practices to promote efficiency and effectiveness and prevent waste, fraud, and abuse. The Committee will also examine the Department's oversight of acquisitions and procurement, including components' compliance with policy and guidance. Further, the Committee will review the activities and authorities of the Under Secretary for Management and the Chief Procurement Officer to ensure the effective management of these key functions.

#### SYSTEMS MODERNIZATION AND INTEGRATION

The Committee will examine the Department's efforts to modernize and integrate its systems, including information technology and financial management systems. The Committee will monitor the development, implementation, and integration of new systems across components as well as management of the Department-wide portfolio of systems. Additionally, the Committee will review the authorities and activities of the Chief Information Officer (CIO) and the coordination of information technology policy among the Department's CIOs.

#### POLICY DEVELOPMENT AND COORDINATION

The Committee will monitor the efforts of the Department's Office of Strategy, Policy, and Plans to ensure coordination and integration of policy among components. The Committee will review the Department's efforts to establish clearer roles and responsibilities for the Office of Strategy, Policy, and Plans to enhance its ability to promote consistency and strengthen Departmental unity of effort. Additionally, the Committee will examine the Department's efforts to take a longer-term, strategic view of threats and hazards to the homeland, including through the publication of the QHSR.

#### DEPARTMENTAL WASTE, FRAUD, ABUSE, AND MISMANAGEMENT

Pursuant to rule X, clause 2(n)(1) of the Rules of the House of Representatives, the Committee will work to identify waste, fraud, abuse, or mismanagement in the Department's programs that may undermine its vital missions.

#### PRIVACY AND CIVIL LIBERTIES

The Committee will continue to monitor the Department's efforts under Section 222 of the Homeland Security Act of 2002 (Pub. L. 107-296), which created a Privacy Officer for the Department of Homeland Security, and Section 705 of the Act which established an Officer for Civil Rights and Liberties.

#### **BORDER SECURITY, FACILITATION, AND OPERATIONS**

In the 116th Congress, the Committee will examine how the Department can continue to enhance the security of America's borders by preventing the entry of terrorists and their weapons, stemming



the flow of illegal drugs, and addressing unauthorized entries while also facilitating legitimate trade and travel to this country. Additionally, the Committee will review the Department's handling increasing numbers of families and children at the border, particularly the separation of children from their parents, conditions in holding facilities for children and other vulnerable populations, and the deaths of children in the Department's custody.

#### **BORDER SECURITY INFRASTRUCTURE, TECHNOLOGY, AND PERSONNEL**

The Committee will examine the Administration's efforts to deploy additional barriers along the southern border, including the President's national emergency declaration, the Department's Border Security Improvement Plan, metrics to assess effectiveness, costs to the taxpayers, the use of eminent domain to acquire private property, impacts on affected communities. The Committee will also examine the use of border security technology to enhance situational awareness. Furthermore, the Committee will review the infrastructure, technology and personnel needs at ports of entry, which currently limit the Department's ability to detect illegal narcotics and contraband entering the country and may slow the processing of individuals and goods.

#### **BORDER SCREENING PROGRAMS**

The Committee intends to review efforts to assist border and consular officials in identifying, intercepting, and disrupting terrorists attempting to enter the United States. The Committee will examine the continued integration, security, and reliability of criminal, immigration, and terrorist databases used to screen persons seeking to enter this country, as well as operations at the Department's National Vetting Center. The Committee will also monitor the Department's progress toward completing a biometric entry and exit system at ports of entry.

### **TRANSPORTATION AND MARITIME SECURITY**

During the 116th Congress, the Committee plans to examine the Department's efforts to develop and implement strategies to address terrorist threats in varied transportation environments, including both air and surface transportation. The Committee will review the effectiveness of the Transportation Security Administration's (TSA) passenger, baggage, and cargo screening programs and operations. The Committee will also examine the challenges facing the TSA workforce, including limited protections for TSA agents and persistent low morale. Additionally, the Committee will examine the use of transportation security grants to better secure America's transportation system.

#### **AVIATION SECURITY**

The Committee intends to review TSA's progress in developing and deploying passenger and baggage screening technologies, including the accuracy and cost-effectiveness of such technologies. The Committee will examine TSA's use of explosives detection canines to ensure that canine teams are utilized effectively. The Com-

mittee will also look at management of the agency's Screening Partnership Program. Additionally, the Committee also will review TSA's passenger search policies and practices, passenger pre-screening programs including the use of no-fly and selectee lists, and protocols for ensuring that passengers designated high-risk are receiving enhanced screening at the checkpoint. The Committee will assess whether there are additional ways for TSA to enhance security and improve risk-based strategies throughout the aviation system.

As part of this oversight, the Committee plans to examine TSA's staffing needs and related matters affecting the TSA workforce, such as continued low morale and high attrition among transportation security officers. The Committee will also examine privacy and civil rights protections for the traveling public. Additionally, the Committee will examine the threats to aviation and other targets posed by unmanned aircraft or "drones."

#### SURFACE TRANSPORTATION SECURITY

The Committee will review TSA's efforts to secure surface transit systems, including the highest-risk mass transit and rail systems. The Committee's oversight will include a review of the Transit Security Grant Program to determine if it is supporting surface transportation security adequately. The Committee will also review the extent to which TSA effectively coordinates with its Federal, State, local, and private sector partners to secure our Nation's transportation systems. Additionally, the Committee will also assess the effectiveness of TSA's efforts to secure the Nation's pipeline systems through TSA's oversight and inspection activities.

#### STAKEHOLDER ENGAGEMENT

The Committee will help ensure that TSA works appropriately with transportation sector stakeholders and labor through the Aviation Security Advisory Committee, the Surface Transportation Security Advisory Committee, collective bargaining, or other means. The Committee will also encourage TSA to find new ways to leverage private sector expertise, innovation, and technologies, including from small businesses, in its mission to secure the Nation's critical transportation systems in the most effective and efficient manner possible.

#### MARITIME SECURITY

The Committee will examine various aspects of maritime security, including the security of port facilities and the screening of vessels, passengers, cargo, and crew, for potential terrorists, terrorist weapons, and contraband. The Committee plans to review the Coast Guard's statutorily defined homeland security missions, to include ports, waterways, and coastal security; drug interdiction; migrant interdiction; law enforcement; and defense readiness. The Committee will also review resource and asset needs within the Coast Guard to determine whether the service is operationally ready to address the varied threats to America's ports and waterways while pursuing a long-term sustainable path of fleet recapitalization. Additionally, the Committee will analyze and conduct

oversight on the statutorily required security assessment of the Transportation Worker Identification Credential (TWIC) program.

### **INTELLIGENCE AND COUNTERTERRORISM**

During the 116th Congress, the Committee will examine the capabilities and efforts of the Department, along with its Federal, state, and local partners, to identify, prevent, deter, and respond to threats to the homeland. The Committee will examine worldwide threats to the homeland from foreign terrorist groups, including the Islamic State of Iraq and Syria (ISIS), al Qaeda, and other groups that seek to carry out attacks against the U.S. and its interests. The Committee will also examine the threats from homegrown violent extremists and terrorist networks in this country. Additionally, the Committee will review the growing threats to the U.S. from domestic terrorism movements.

#### **HOMELAND SECURITY INTELLIGENCE ENTERPRISE**

The Committee will conduct oversight of the Department's Intelligence Enterprise, including intelligence activities throughout the Department and component agencies. This will include a focus on the coordination and collaboration across intelligence offices and personnel within the Headquarters and component agencies. Additionally, the Committee will review efforts to build the intelligence, analytical, and assessment capabilities of the Department and to ensure its full participation in the Intelligence Community as part of its homeland security mission. The Committee will also examine the Department's role in managing, distributing, and using terrorist intelligence and threat information in furtherance of its homeland security mission. Furthermore, the Committee will monitor the extent to which DHS effectively coordinates and collaborates with other Federal, State, and local agencies to mitigate threats to the homeland. The Committee will also review how DHS agencies collect and share information, including through vital security vetting programs.

The Committee will continue to assess the development of DHS counterintelligence and insider threat programs, including Departmental organizational changes, resources, monitoring programs, and training initiatives. DHS's counterintelligence efforts are intended to prevent adversaries from penetrating the Department to exploit sensitive information, operations, programs, personnel, and resources.

#### **INFORMATION SHARING**

The Homeland Security Act of 2002 mandated routine sharing of homeland security-related information between and among Federal, State and local officials to assess the nature and scope of terrorist threats to the United States and to evaluate and act on that information. The Committee will examine information sharing among Federal, State and local governments, law enforcement entities, first responders, and emergency management personnel. The Committee will also examine the Department's initiatives to coordinate information sharing to and from state and local fusion centers throughout the country and will continue to evaluate the National

Network of Fusion Centers to determine their impact on securing the homeland. The Committee will review coordination and information sharing procedures between state and local fusion centers and Joint Terrorism Task Forces as well. Additionally, the Committee will review U.S. counterterrorism cooperation with foreign partners, with the goal of improving the effectiveness of international information sharing, training and best practices, and coordination.

#### PRIVACY AND CIVIL LIBERTIES

During the 116th Congress, the Committee will monitor the Department's efforts to ensure appropriate privacy and civil liberties protections in its intelligence and information sharing programs and activities.

#### UNITED STATES SECRET SERVICE

The Committee will examine the homeland security operations of the United States Secret Service, including protecting the President of the United States and other Executive branch officials and investigating financial and cybercrime, and review the agency's staffing model to determine whether it has adequate resources to meet its current and projected needs. The Committee will also examine the Secret Service's lead role in planning and executing security operations for National Special Security Events. Additionally, the Committee will conduct oversight into whether the agency is taking steps to address persistent concerns about hiring practices, promotion policies, and morale.

### **CYBERSECURITY, INFRASTRUCTURE PROTECTION, AND INNOVATION**

During the 116th Congress, the Committee will conduct oversight of the cybersecurity, infrastructure protection, and science and technology activities of the Department.

#### CYBERSECURITY

The Committee will examine implementation of H.R. 3359, the Cybersecurity and Infrastructure Security Agency Act, which operationalized the Cybersecurity and Infrastructure Security Agency (CISA). The Committee will also conduct oversight of activities related to Executive Order 13800, Strengthening the Cybersecurity of Federal Networks and Critical Infrastructure, Presidential Policy Directive 41 (PPD-41), United States Cyber Incident Coordination, and implementation of the National Cyber Strategy. Toward that end, the Committee will continue to its oversight of CISA's EINSTEIN and Continuous Diagnostics and Mitigation (CDM) programs for securing Federal networks, as well as strategic initiatives carried out by the new National Risk Management Center to identify interdependencies and mitigate vulnerabilities across critical infrastructure sectors. The Committee will also examine ways to further build the Department's cybersecurity capability and capacity to implement its cyber statutory authorities.

Additionally, the Committee will continue its work examining the implementation of cybersecurity legislation, including the National Cybersecurity Protection Act of 2014, (Pub. L. 113–282) (authorizing the National Cybersecurity Communications and Integration Center, or NCCIC); the Federal Information Security Modernization Act of 2014, (Pub. L. 113–283) (authorizing DHS to carry out Federal information security activities); the Cybersecurity Enhancement Act of 2014, (Pub. L. 113–274) (providing for improvements to cybersecurity through public-private partnerships, education, awareness, and development of standards and best practices); and the Cybersecurity Workforce Assessment Act, (Pub. L. 113–246) (calling for a comprehensive cyber workforce strategy with workforce assessments every three years). The Committee will also examine CISA’s election security activities.

#### INFRASTRUCTURE PROTECTION

The Committee will examine CISA’s programs to protect critical infrastructure, with key focus on internal coordination mechanisms to ensure that expertise can be leveraged efficiently and effectively and encourage CISA to proactively respond to new and emerging threats, such as the threat of unmanned aerial vehicles detected in sensitive airspace. The Committee will also review how DHS, through CISA, works with the various critical infrastructure sectors pursuant to Presidential Policy Directive 21, Critical Infrastructure Security and Resilience (PPD–21). During the 116th Congress the Committee will examine and work to reauthorize the Chemical Facility Anti-Terrorism Standard (CFATS) program, which requires high risk chemical facility owners and operators to report chemical holdings, perform vulnerability assessments, and adopt risk-based security measures to protect against the threat of a terrorist attack. Further, the Committee will continue to monitor the Department’s efforts to establish a program to secure the sale and transfer of ammonium nitrate, as required by the Secure Handling of Ammonium Nitrate Act of 2008, and potentially develop new access controls to prevent the illicit flow of other precursor chemicals commonly used in Improved Explosive Devices (IEDs).

#### FEDERAL PROTECTIVE SERVICE

The Committee will continue to monitor the security of Federal buildings and facilities, including the role and effectiveness of the Federal Protective Service (FPS) and will review the Secretary’s recommendation regarding the appropriate placement for FPS pursuant to H.R. 3359. The Committee will also continue to examine the general management of FPS, including its personnel policies, training program, and oversight and management of Federal facility contract guard personnel.

#### SCIENCE AND TECHNOLOGY DIRECTORATE

The Committee will conduct oversight of the coordination of homeland security-related research, development, testing, and evaluation (RDT&E) within the Department and the adequacy of mission support provided by the Directorate to operational elements of the Department, state and local authorities, and the private sector.

The Committee will also review the Department's efforts to attract the Nation's most talented scientists and build partnerships with the academic community through its Homeland Security Centers of Excellence and University Programs.

### **EMERGENCY PREPAREDNESS, RESPONSE, AND RECOVERY**

In the 116th Congress, the Committee will continue to conduct oversight of the Department's efforts to prevent, prepare for, respond to, and recover from acts of terrorism, natural disasters, and other major emergencies.

#### **PREPAREDNESS, RESPONSE, AND RECOVERY**

The Committee will examine the Federal Emergency Management Agency's (FEMA) response and recovery efforts for declared disasters to ensure capabilities incorporate lessons learned and Federal resources are used appropriately. Focus will include lessons learned from the 2017 disaster season, including Hurricanes Maria, Irma, and Harvey, ongoing recovery efforts in Puerto Rico and the U.S. Virgin Islands, addressing the needs of underserved and vulnerable populations, and the impact of global warming on disasters. The Committee will also review the Department's training and exercise programs, including awareness of these resources among first responders and state and local governments. Further, the Committee will monitor the extent to which FEMA is incorporating information from national exercises into future training, planning, and response, recovery, and mitigation activities. Additionally, the Committee will conduct oversight of the Department's Countering Weapons of Mass Destruction Office efforts to counter threats from chemical, biological, radiological, and nuclear weapons.

#### **ASSISTANCE TO STATE AND LOCAL GOVERNMENTS AND FIRST RESPONDERS**

The Committee will examine FEMA's allocation and administration of grants to enhance the ability of state and local governments and emergency response providers to prevent, prepare for, respond to, mitigate, and recover from a terrorist attack or other disaster. The Committee will review the coordination of grant programs within the Department in developing guidance and administering grants; the ability of state and local governments to access, obligate, and expend funds; the strength of regional partnerships developed through grants; and the risk-based distribution and expenditure of such grants at the state and local levels. Additionally, the Committee will examine the Department's work with state and local partners to support school safety and security and preparedness.

#### **EMERGENCY COMMUNICATIONS**

The Committee will examine the coordination of various communications programs and offices within the Department, including the achievement and maintenance of interoperable communications

capabilities among the Department's components, as required by the Department of Homeland Security Interoperable Communications Act (Pub. Law 114–29). The Committee will monitor activities of the First Responder Network Authority (FirstNet) and the development of the public safety interoperable wireless broadband network. In addition, the Committee will review the Department's Integrated Public Alert and Warning System to ensure timely and effective alerts and warnings are provided to the public in the event of an emergency.





# COMMITTEE ON HOUSE ADMINISTRATION

## Oversight Plan for the 116th Congress

### Committee on House Administration

As required by House Resolution 6, the Committee on House Administration's oversight plan for the 116th Congress is as follows:

#### MEMBER SERVICES

- Oversee Members' allowance amounts, including structure and regulations.
- Provide guidance and outreach to congressional offices to ensure compliance with committee regulations.
- Review and revise the Members Handbook, a set of regulations governing the appropriate use of the members' Representational allowance.
- Review and revise the guide to outfitting and maintaining an office of the United States House of Representatives, a set of regulations governing the acquisition, transfer, and disposal of furnishings, equipment, software, and related services.
- Review the calculation of the Members' Representational Allowances and ensure that all members have adequate resources for representing their constituents.
- Oversee the processing of vouchers and direct payments, including those for payroll. Continue to monitor the implementation of the electronic vouchering system.
- Work with the Officers of the House, the Architect of the Capitol and the legislative branch agencies to provide meaningful outreach to member offices and provide that the views of member offices are incorporated into their ongoing work.

#### *New Member Orientation*

- Plan, implement, and oversee the New Member Orientation program for newly-elected Members of Congress.
- Oversee the planning and implementation of the Congressional Research Service new member issues seminar in Williamsburg.
- Work with the Congressional Research Service and other support agencies to make available additional on-going professional development services for new members and staff.

#### *Intern program*

- In coordination with the Senate Committee on Rules and Administration, organize, administer, and oversee the intern lecture series.

- Review and consider revising the intern handbook and other publications and communication materials used in support of the intern program.
- Continue and expand the Gregg and Livingston Harper congressional internship program for individuals with intellectual disabilities.

#### COMMITTEE FUNDING AND OVERSIGHT

- Review monthly reports on committee activities and expenditures.
- Review the Committees' Congressional Handbook regulations governing expenditure of committee funds and update regulations as needed.
- Review primary and any secondary expense resolutions and approve authorization of committee-funding levels in committee and by House Resolution.
- Review committees' franking expenditures.
- Review the use of consultant contracts.

#### CONGRESSIONAL ACCOUNTABILITY ACT OF 1995

- Monitor implementation of the Congressional Accountability Act of 1995 (caa, pl 104–1) and the reforms provided for in pl 115–397.
- Monitor the development and deployment of the climate survey.
- Review data on workplace rights information.
- Review regulations adopted by the Office of Congressional Workplace Rights.
- Evaluate resources available to the Office of Congressional Workplace Rights and House employing offices to facilitate implementation of the act.
- Conduct general oversight of the office of Office of Congressional Workplace Rights.
- Conduct specific oversight of the implementation of the Office of Congressional Workplace Rights IT system.
- Monitor ongoing judicial proceedings to determine the impact on the Congressional Accountability Act.
- Monitor for the ongoing anti-harassment and anti-discrimination workplace rights training, including development of the curriculum and administration of in district trainings.
- Oversee the Office of Employee Advocate.

#### FRANKING COMMISSION

- Oversee the Members' use of the congressional frank and other unsolicited mass communications by providing guidance, advice, and counsel through consultation or advisory opinions.
- Review proposals to modernize the franking practices of members, and regulations governing such mailings and communications.
- Monitor current prohibition on mass mailings 90 days before a primary or general election.
- Oversee efforts to ensure compliance with franked mailings and communications reporting requirements, and the Chief Admin-

istrative Officer's (CAO) implementation of new digital form procedures.

- Implement approved procedures to increase transparency and improve the accounting of franked mail costs.
- Revise the regulations on the use of the congressional frank and rules on practice in proceedings before the House Commission on Congressional Mailing Standards.
- Coordinate with the members services team to update, refine, and modernize policies related to the official use of communications resources.
- Coordinate with the Clerk of the House and CAO to identify and implement new applications, resources, and procedures for the House to be more transparent, accountable, accessible, and to meet Member and Committee office's obligations related to official communications.

#### HOUSE OFFICERS AND HOUSE OPERATIONS

- Coordinate with House Officers and officials to develop long term plans and goals for the administrative, financial and administrative functions of the House.
- Oversee an effort to recruit and retain a more diverse workforce among all the House Officers.
- Work with House Officers to identify and reduce spending and create more cost effective and efficient operations within the House.
- Analyze management improvement proposals and other initiatives submitted by the House Officers, the Inspector General, the Capitol Police Board, the Architect of the Capitol, the Library of Congress, and other legislative branch agencies.
- Coordinate with the subcommittee on Legislative Branch appropriations on matters impacting operations of the House and joint entities.
- Provide policy guidance to the House Officers, Inspector General and the joint entities as appropriate.
- Oversee compliance with the House Employee Classification Act (2 U.S.C. 291 et seq.).
- Assure coordination among officers and joint entities on administrative and technology matters, including reviewing existing IT security policies.
- Provide policy guidance and conduct oversight of security and safety issues and congressional entities charged with such roles.
- Assure coordination among officers and joint entities on the development of a comprehensive district office support program.

#### *Chief Administrative Officer*

- Provide policy direction for the Chief Administrative Officer. Continue the review of functions and administrative operations assigned to the Chief Administrative Officer.
- Review existing assets management processes.
- Review House procurement policies and monitor the effectiveness of the Chief Administrative Officer's procurement and contract management functions. Review procedures for processing contracts with the House that exceed the threshold of \$350,000.

- Continue to review ongoing process and technology upgrades to the House financial management system and ensuring appropriate internal controls are in place.
- Monitor reforms to the Office of Finance and Payroll and Benefits as provided for by the Inspector General and outside consultants.
- Review and oversee information technology services provided, maintained or hosted by House Information Resources. Continue oversight of failsafe procedures to guarantee continuity of operations.
- Review new technology initiatives to better serve members, committees, and the public.
- Review semi-annual financial and operational status reports; oversee implementation of changes in operations to improve services and increase efficiencies.
- Review training offerings available to members and staff through the congressional staff academy.
- Review the development and roll-out of the CAO's customer advocate program.
- Review the operations of the House gift shop and its management.
- Continued review of House restaurant operations; furniture policy, inventory and selection; and alternatives to the current mail delivery process to strengthen the services and tools available to members and staff.
- Examine Chief Administrative Officer's role in assuring accessibility to the House wing of the Capitol, the House office buildings and other House facilities consistent with the Americans with Disabilities Act.
- Review staff benefits offered by the House and proposals to modify benefits.
- Review the wounded warrior program and develop recommendations, in consultation with veteran's organizations, about improvements to the program.
- Review the official sanctioned "app challenge".

#### *Clerk of the House*

- Review and approve contracts and requests for proposals by the Clerk that exceed the \$350,000 spending threshold.
- Review the Clerk's current IT configuration and redundancy posture.
- Oversee the House document repository.
- Review standards for the electronic exchange of legislative information among the houses of congress and legislative-branch agencies.
- Coordinate on matters under the jurisdiction of the House Fine Arts Board and the Capitol Preservation Board.
- Continue review of functions and administrative operations assigned to the Clerk.
- Review of semi-annual financial and operational status reports; recommend changes in operations to improve services and increase efficiencies.
- Review the printing needs of the Clerk to evaluate the potential for eliminating duplication.

- Review the application programming interface incorporated in the Clerk's newly-developed website.
- Oversee preparation of congressionally-authorized publications.

#### *Sergeant-At-Arms*

- Review and oversee security operations in the House, including the House Chamber, the galleries, the Capitol, House Office Buildings, Capitol Grounds, and district offices.
- Review and oversee initiatives designed to increase security and security awareness for Members and staff in district offices.
- Review annual financial and operational status reports; recommend changes in operations to improve services and increase efficiencies.
- Review impact of electronic access to controlled spaces.
- Continue review of functions and administrative operations assigned to the Sergeant-At-Arms.
- Review the security operation of House parking facilities, regulations, and allocation of parking spaces.
- Consult with the Sergeant-At-Arms on policies adopted by the Capitol Police Board.
- Review the policies and procedures for visitor access to the Capitol.
- Examine Sergeant-At-Arms' role in assuring accessibility to the House wing of the Capitol, the House Office Buildings, and other House facilities consistent with the Americans with Disabilities Act.
- Review staff ID standards.
- Review the impact on staff of garage security implementation.
- Review the use of technology generally in the protection of the House of Representatives.
- Review the effectiveness of district office security program, including the law enforcement coordinator program, enterprise-wide security system contract, and processes for mail sent to the district offices.

#### *House Inspector General*

- Review, and approve, proposed audit plan and audit reports, including the annual financial statements audit.
- Ensure that audits and their prioritization is based upon the assessment of risk to the operations of the House.
- Review comprehensive financial and operational audits of the House, investigate any irregularities uncovered, and monitor necessary improvements.
- Monitor progress of House audits.
- Continue review of functions and administrative operations assigned to the Inspector General.
- Direct Inspector General to conduct management advisories to improve implementation and operation of key House functions.

#### *House Diversity Office*

- Pursuant to House Resolution 6, oversee and direct implementation of the diversity office.

- Collaborating with the legislative branch appropriations subcommittee, oversee requirement for employment related survey of the congressional workforce.
- Review and assess diversity plan for each legislative branch agency.

#### OVERSIGHT OF LEGISLATIVE BRANCH AND OTHER ENTITIES

##### *Information and technology coordination*

- Oversee, in conjunction with the Senate, forums for the sharing of technology plans and capabilities among the legislative branch agencies.
- Oversee, in conjunction with the Senate, the legislative branch cybersecurity working group with the goal of developing and implementing it standards across the legislative branch.
- Oversee management of the congress.gov website.
- Oversee work of the legislative branch financial managers' council.
- Provide direction to the bulk data task force.

##### *Library of Congress*

- Conduct a review of the progress that the Library has made in providing public access to government information, especially in electronic form.
- Continue oversight of the development of the Library's Visitor Experience project.
- Continue oversight of Library of Congress operations, including inventory and cataloguing systems.
- Continue oversight of Law Library operations.
- Continue oversight of Congressional Research Service operations and consider any need to modify management and organizational structure of the service.
- Review implementation of the Library of Congress fiscal operations improvement act of 2000 (public law 106-481), the Veterans' Oral History Project act (public law 106-380), the National Recording Preservation Act of 2000 (public law no: 106-474), and the history of the House Awareness and Preservation Act (public law 106-99).
- Consider human-resources legislation proposed by the Library.
- Review the use of technology generally in Library of Congress operations, and specifically the ongoing work to centralize technology operations consistent with the guidance from the general accountability office.
- Continue oversight of the Library's technology hosting environment transition.
- Review reports by library of congress inspector general and implementation of audit recommendations. Examine options to improve operation and structure of the Library of Congress Inspector General's office.
- Focus oversight on national library services to provide the most effective service to their library partners, explore ways to increase the number of users under 65, review the format and content for those users and review proposals for a new physical headquarters.

*Copyright Office*

- Review the progress that the Copyright Office has made in providing copyright application and registration data (both past and current) online.
- Review the use of technology generally in Copyright Office operations, and specifically the office's modernization efforts.
- Conduct a review of the Copyright Office's efforts to communicate its modernization efforts to stakeholders.
- Conduct a review of security measures and processes for e-deposits submitted to both the Copyright Office and Library of Congress.
- Conduct a review of the Copyright Office's spending authority and its ability to budget for multi-year capital projects.
- Conduct a review of the examination process with a focus on the Copyright Office's initiatives aimed at improve examination efficiencies and reducing application pendency.
- Review availability of customer service support options available to applicants.
- Review Copyright Office rulemaking authority and processes.
- Review Copyright Office fee setting authority and the office's process for determining the actual cost of services they provide.

*United States Capitol Police (USCP)*

- Monitor administrative operations of the agency, including budgetary management, over-time use, civilian component, attrition rates, recruitment efforts and incentive programs for officers and civilian employees.
- Review proposals for additional USCP authorities, facilities and equipment.
- Review analysis of uniformed officer post/duty assignments to determine and authorize force levels to meet the agency's security requirements within the Capitol complex to include the Capitol visitor center, the Library of Congress and U.S. Botanic Garden.
- Conduct oversight on House-garage security implementation.
- Conduct oversight of the effectiveness of USCP pre-screeners.
- Review and consider proposals to improve USCP training program for new recruits, and in-service training.
- Authorize and oversee the installation and maintenance of new security systems and devices proposed by the police board.
- Review and authorize regulations prescribed by the police board for use of law enforcement authority by the Capitol Police.
- Examine Capitol Police role in assuring accessibility to the House wing of the Capitol, House Office Buildings and other facilities consistent with the Americans with Disabilities Act.
- Review reports by USCP Inspector General and implementation of audit recommendations. Examine options to improve operation and structure of the USCP Inspector General's Office.
- Review processes for ensuring adequate physical security for Members of Congress.

*Government Publishing Office (GPO)*

- Oversee operations of the Government Publishing Office, including the Superintendent of Documents.

- Review and adopt legislative proposals to reform government printing by eliminating redundancies and unnecessary printing, increasing efficiency, and enhancing public access to government publications.
- Continue efforts to reform Title 44, particularly provisions related to the federal depository library program.
- Monitor implementation of remedial actions taken by management to address audit issues identified by the GPO Inspector General and outside financial auditors.
- Review the printing needs of the House of Representatives to identify the potential for eliminating duplication.
- Examine current GPO printing and binding regulations to determine advisability of change.
- Oversee Superintendent of Documents' sales and depository library programs.
- Review GPO labor practices and labor agreements.
- Review use of GPO facilities and other assets to identify possible alternatives enhancing value to the Congress and the public.

#### *Architect of the Capitol (AOC)*

- Review the operations and organizational structure of the office of the Architect.
- Participate in the selection process of a permanent Architect of the Capitol.
- Review the electronic and procured services provided by the Architect.
- Oversee Architect of the Capitol's maintenance of House Buildings and the House side of the Capitol, and review plans for rehabilitation of House Buildings, including oversight over the Cannon House Office Building renovation.
- Continue oversight of life safety measures, accessibility measures, and improved evacuation mechanisms in House buildings.
- Review the AOC office of sustainability's efforts to reduce energy and waste consumption by the Capitol Complex.
- Oversee operations of the Capitol Visitors Center including the re-design of exhibition hall, in conjunction with the Senate Committee on Rules and Administration.
- Review and identify ways to create organizational-wide efficiencies and standards across all divisions of the AOC.
- Review reports by Architect of the Capitol Inspector General and implementation of audit recommendations. Examine options to improve operation and structure of the Architect of the Capitol Inspector General's office.
- Inventory space requirements for unmet and growing child care needs to employees of the legislative branch and incorporate child care space planning into the master campus plan.
- Review the pest management practices of the AOC.

#### *Office of Congressional Accessibility Services*

- Oversee management and operations of Office of Congressional Accessibility Services, such as the implementation of the Americans with Disabilities Act (ADA), in conjunction with Senate Committee on Rules and Administration.



*Smithsonian Institution*

- Review the Smithsonian Inspector General's reports on the status of the Smithsonian, with a focus on cybersecurity.
- Oversee general museum and research facility operations of the Smithsonian institution.
- Review and evaluate the Smithsonian institution's use of authorized public funds.
- Review proposed appointments of citizen regents to the Smithsonian institution's board of regents.
- Review proposals for authorization of new Smithsonian facilities, including the National Women's History Museum and the National Museum of the American Latino. Review Smithsonian policies regarding initiation of planning, design and construction of projects.
- Review operations of the National Zoo.
- Oversee Smithsonian science and research facilities including the work being conducted in Panama.
- Oversee the development of the partnership with the Victoria and Albert Museum in London, England.
- Review operations and conduct oversight of Smithsonian enterprises.
- Review any proposals to charge fees for admission to any Smithsonian exhibits.

## TECHNOLOGY USE BY THE HOUSE

- Continue oversight of House Information Resources and other technology functions of the House to improve technology governance, services and the electronic dissemination of information.
- Review and consider recommendations made by National Association of Public Administration in regard to enhancing technology assessment capabilities within the legislative branch.
- Review cyber security measures and develop strategic plans to improve policies.
- Review technology standards for hearing rooms as they relate to the committee broadcast program.
- Oversee and continue to implement an enterprise House disaster recovery program for House offices, standing and select Committees and Member offices.
- Task the House Officers to develop and coordinate a House strategic technology plan.
- Oversee plan for deployment of 5g.
- Oversee continuation and streamlining of House technology assessment in both new media and cloud services.
- In cooperation with Member Services, review available technology necessary to support New Member Orientation.
- Review procedures and standards for technology services provided by outside vendors, individuals, and other entities.
- Work with legislative branch agencies to communicate available technology services to all Member, Committee and Leadership Offices.

## OVERSIGHT OF FEDERAL ELECTION LAW AND PROCEDURES

- Recommend disposition of House election contests pending before the committee; monitor any disputed election counts.
- Use authority under Article 1, Section 4 of the United States Constitution to provide equivalent opportunities for voters to participate in federal elections.
- Review operations of the Federal Election Commission (FEC) and evaluate possible changes to improve efficiency, improve enforcement of the Federal Election Campaign Act, and improve procedures for the disclosure of contributions and expenditures. Consider authorization issues and make recommendations on the FEC'S budget.
- Review federal campaign-finance laws and regulations, including presidential and congressional public financing, and consider potential reforms.
- Examine the role and impact of political organizations on federal elections.
- Review operations of the Election Assistance Commission (EAC) and evaluate possible changes to improve efficiency and improve implementation of the Help America Vote Act (HAVA).
- Examine the impact of amendments made by HAVA and the Military and Overseas Voter Empowerment Act (MOVE Act) to the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) and consider proposals to improve voting methods for those serving and living abroad.
- Build the congressional record in support of a reauthorized national Voting Rights Act.
- Review state and federal activities under the National Voter Registration Act to identify potential for improvement to voter registration and education programs and reducing costs of compliance for state and local government.
- Review all aspects of registration and voting practices in federal elections. Monitor allegations of fraud and misconduct during all phases of federal elections and evaluate measures to improve the integrity of the electoral process.

## ADDITIONAL MINORITY VIEWS ON OVERSIGHT OF FEDERAL ELECTION LAW AND PROCEDURES

The majority election oversight plan covers the jurisdiction of the Committee and we share in most of these objectives. However, we differ in the priority of these objectives. As the 116th Congress progresses we hope to work with the majority in ensuring the integrity of our nation's election infrastructure, the rights of states to run their own elections without undue federal regulation, and the prohibition against predatory election tactics such as ballot harvesting.

# COMMITTEE ON THE JUDICIARY

## OVERSIGHT PLAN FOR THE 116TH CONGRESS

March 6, 2019

The Rules of the House of Representatives assign to the Committee on the Judiciary jurisdiction over: (1) the judiciary and judicial proceedings, civil and criminal; (2) administrative practice and procedure; (3) apportionment of Representatives; (4) bankruptcy, mutiny, espionage, and counterfeiting; (5) civil liberties; (6) Constitutional amendments; (7) criminal law enforcement and criminalization; (8) Federal courts and judges, and local courts in the Territories and possessions; (9) immigration policy and non-border enforcement; (10) interstate compacts generally; (11) claims against the United States; (12) meetings of Congress; attendance of Members, Delegates, and the Resident Commissioner; and their acceptance of incompatible offices; (13) national penitentiaries; (14) patents, the Patent and Trademark Office, copyrights, and trademarks; (15) Presidential succession; (16) protection of trade and commerce against unlawful restraints and monopolies; (17) revision and codification of the Statutes of the United States; (18) State and territorial boundary lines; and (19) subversive activities affecting the internal security of the United States.

Under clause 2(d) of Rule X of the House of Representatives, the Committee is further charged with preparing an oversight plan for the 116th Congress.

The Committee's work on oversight and investigations will be coordinated across the Full Committee and each of the Subcommittees. Oversight activities may include hearings, briefings, correspondence, reports, public statements, and site visits. In the 116th Congress, this work may address any of the following issues, agencies, or legislative matters under the Committee's jurisdiction.

### FULL COMMITTEE

*U.S. Department of Justice:* In conjunction with the Subcommittees, the Committee will conduct oversight of the U.S. Department of Justice, including all Department components and agencies. This effort will include the investigation of threats to the integrity and independence of the Department of Justice, the Federal Bureau of Investigation, and other federal law enforcement agencies.

*National Security:* The Committee will conduct oversight of the national security missions of the Law Enforcement and Intelligence Communities and assess the impact of government surveillance on privacy and civil liberties. This work will include reform and reauthorization of the expiring provisions of the USA PATRIOT Act and related provisions of the Foreign Intelligence Surveillance Act.

*Executive Authority and Separation of Powers:* The Committee will conduct oversight of executive orders, memoranda, and court filings issued by the White House, the Office of Legal Counsel, and other components of the Department of Justice, particularly as they may relate to an assertion of executive authority. These efforts will include a review of the Department's decision not to defend key provisions the Affordable Care Act.

*The U.S. Copyright Office:* The Committee will conduct oversight of the Copyright Office. Oversight will include review of its recordation system, public access to its registration records, and other modernization efforts.

*Copyright Law and Policy:* The Committee will examine the provisions of the Copyright Act to ensure it addresses the challenges faced by copyright owners, users, and consumers in the digital environment. This work may include oversight of the Office of the U.S. Intellectual Property Enforcement Coordinator and implementation of the Music Modernization Act.

*Intellectual Property Enforcement Agencies:* The Committee will review the intellectual property enforcement efforts of the Department of Justice and U.S. Customs and Border Protection. To the extent it involves non-copyright-related intellectual property issues, this work will be closely coordinated with Subcommittee on Courts, Intellectual Property, and the Internet.

### **SUBCOMMITTEE ON CRIME, TERRORISM, AND HOMELAND SECURITY**

*U.S. Department of Justice:* The Subcommittee will conduct oversight of the law enforcement agencies of the U.S. Department of Justice, including:

- the Federal Bureau of Investigation;
- the Drug Enforcement Administration;
- the Bureau of Alcohol, Tobacco, Firearms, and Explosives;
- the U.S. Marshals Service;
- the Office of the Federal Detention Trustee;
- the Federal Bureau of Prisons; and
- Federal Prison Industries, Inc.

In addition, the Subcommittee will conduct oversight of the Office of Justice Programs, the Office on Violence Against Women, the Community Oriented Policing Services Office, and the Office of Juvenile Justice Delinquency Prevention, as well as the substantive statutes associated with these offices.

*Implementation of the FIRST STEP Act:* The Subcommittee will conduct oversight of various reforms to federal sentencing laws and the operation of federal prisons enacted by the FIRST STEP Act of 2018, as well as various additional reforms with regard to criminal justice.

*Federal Grants:* The Subcommittee will conduct oversight on law enforcement assistance grants, Violence Against Women Act grants, community policing grants, and other grants administered by the Department of Justice.

*Office of the Pardon Attorney:* The Subcommittee will conduct oversight of the Office of the Pardon Attorney.

*U.S. Department of Homeland Security (DHS):* The Subcommittee will conduct oversight of DHS law enforcement components, including:

- the U.S. Secret Service;
- U.S. Immigration and Customs Enforcement;
- U.S. Customs and Border Protection;
- the U.S. Coast Guard; and
- the Federal Air Marshals Service.

*U.S. Sentencing Commission:* The Subcommittee will review the mission and operations of the U.S. Sentencing Commission.

*Policing Strategies:* The Subcommittee, through the Committee's Policing Strategies Working Group, will continue working with state and local governments and groups to foster positive police-community relations, and ensure law enforcement has the tools it needs to do its job.

*Gun Violence:* The Subcommittee will continue to examine ways to reduce firearms-related violence.

*Encryption and Handheld Electronic Devices:* The Subcommittee will conduct oversight on both the benefits of strong encryption and efforts by law enforcement agencies to access encrypted information.

*Electronic Communications Privacy Act:* The Subcommittee will continue its work to update this 1986 statute in light of the digital revolution that has taken place since the statute's enactment.

*Cybersecurity:* The Subcommittee will review the laws and law enforcement tools designed to combat and prevent cyber-attacks, particularly attacks on the independence and integrity of U.S. elections.

*Marijuana:* The Subcommittee will review the laws related to the possession of marijuana and the impact of those laws on our communities.

## **SUBCOMMITTEE ON THE CONSTITUTION, CIVIL RIGHTS, AND CIVIL LIBERTIES**

*Protection of U.S. Citizens' Constitutional and Civil Rights:* The Subcommittee will conduct oversight of the Civil Rights Division of the Department of Justice. The Subcommittee will examine the adequacy of current protections for U.S. citizens' constitutional and civil rights.

*Voting Rights:* The Subcommittee will examine ways to enhance the ability of citizens to participate in federal elections by removing unnecessary barriers to access to the polls, addressing voter suppression efforts, and other means to fully guarantee the right to vote for all eligible individuals.

*Foreign Influence:* The Subcommittee will conduct oversight on the influence of foreign governments, foreign corporations, and other foreign entities on the federal government. The Subcommittee will also examine the adequacy of current law to prevent non-United States persons from making financial contributions to federal campaigns.

*The Scope of Executive Authority:* The Subcommittee will examine the proper scope and application of executive authority, including but not limited to executive actions intended to personally benefit the President of the United States. This work may include a

review of current ethics rules, the Foreign Emoluments Clause of the U.S. Constitution, the National Emergencies Act, and pardons granted by the President.

*Office of Government Ethics:* The Subcommittee will consider the priorities and operation of the Office of Government Ethics.

*Religious Freedom:* The Subcommittee will consider the protection of Americans' rights under the Free Exercise and Establishment Clauses, including the attempt to qualify entry into the United States on the basis of religion and potential discrimination against those with minority religious beliefs.

*LGBT Equality:* The Subcommittee will examine the legality and enforcement of actions taken by the Administration and the states with respect to the equal treatment of lesbian, gay, bisexual, and transgender persons.

*Reproductive Rights:* The Subcommittee will examine the legality and enforcement of actions taken by the Administration and the states with respect to women's equality and reproductive choice.

*Free Speech and Free Press:* The Subcommittee will examine the state of free speech and the freedom of the press in the United States, including any attempts by the President of the United States to undermine the freedom of the press.

*Detention of Suspected Terrorists:* The Subcommittee will conduct oversight on matters related to the long-term detention of suspected terrorists. The Subcommittee will also examine the legality of any government proposal to subject detainees to cruel or inhumane treatment, engage in so-called "enhanced interrogation" techniques, or re-establish "black site" facilities for the detention of allegedly unlawful enemy combatants.

*United States Commission on Civil Rights:* The Subcommittee will review the work of the Commission, its management, and its implementation.

*The Judgment Fund:* The Subcommittee will examine payments made from the Judgment Fund, its management, and how it is administered.

## **SUBCOMMITTEE ON IMMIGRATION AND CITIZENSHIP**

*Executive Orders Signed by President Trump:* The Subcommittee will conduct oversight of Executive Orders regarding immigration and border security signed by President Trump.

*Family Separation:* The Subcommittee will conduct oversight of the Trump Administration's policy of separating minors from their parents at the border between the United States and Mexico, and the care of those minors while in government custody.

*Dreamers and Deferred Action for Childhood Arrivals:* The Subcommittee will conduct oversight of attempts to deport individuals who qualify or who had previously qualified for deferred action under the Deferred Action for Childhood Arrivals program.

*Temporary Protected Status:* The Subcommittee will conduct oversight of procedures for determining whether to extend or terminate Temporary Protected Status (TPS) designations.

*Department of Homeland Security:* The Subcommittee will conduct oversight of the components within DHS that are responsible for administering and enforcing United States immigration laws,

including U.S. Immigration and Custom Enforcement and U.S. Citizenship and Immigration Services (USCIS).

*Nonimmigrant Worker Visa Programs:* The Subcommittee will conduct oversight of the H-1B, H-2A, H-2B and various other non-immigrant worker visa programs.

*Student Visa Programs:* The Subcommittee will conduct oversight of the F, J, and M visa programs.

*Immigrant Investor Visa Program:* The Subcommittee will conduct oversight of the immigrant investor visa program.

*Refugee Program:* The Subcommittee will conduct oversight of the refugee program and the Office of Refugee Resettlement within the Department of Health and Human Services.

*Visa Security:* The Subcommittee will conduct oversight of the screening of visa applicants.

*Executive Office for Immigration Review:* The Subcommittee will conduct oversight of the Department of Justice's adjudication of immigration cases.

#### **SUBCOMMITTEE ON COURTS, INTELLECTUAL PROPERTY, AND THE INTERNET**

*U.S. Patent and Trademark Office:* The Subcommittee will conduct oversight of the U.S. Patent and Trademark Office (USPTO). This work may include the status of pending patent and trademark applications, patent and trademark quality, implementation of the America Invents Act, and USPTO's fee-setting authority.

*U.S. Patent and Trademark Office Global Intellectual Property Rights Attaché Program:* The Subcommittee will conduct oversight on the Global Intellectual Property Rights Attaché program's efforts to promote high international standards for protection and enforcement.

*International Intellectual Property Laws:* The Subcommittee will conduct oversight of the impact of international intellectual property laws, regulations, and policies upon American interests. This work may include oversight of international trade agreements.

*Federal Judiciary:* The Subcommittee will conduct oversight of the federal judiciary, including judicial ethics and disclosure, the PACER system, and the operation of the federal court system. In addition, the Subcommittee will examine the resources available to Article III courts, including judicial salaries and security for federal judges. The Subcommittee will investigate attempts by the White House to threaten or discredit a federal judge or to undermine the independence of the federal judiciary.

*Technology Issues:* The Subcommittee will examine developments in technology and the Internet affecting public policy, including issues surrounding Internet governance.

*Legal Services Corporation:* The Subcommittee will review the mission and operations of the Legal Services Corporation.

#### **SUBCOMMITTEE ON ANTITRUST, COMMERCIAL, AND ADMINISTRATIVE LAW**

*Administrative Process and Procedure:* The Subcommittee will examine specific regulations and proposed regulations, as well as issues related to the implementation of the Administrative Proce-

ture Act and other federal statutes. The Subcommittee will also conduct oversight of the Office of Information and Regulatory Affairs within the Office of Management and Budget.

*Bankruptcy:* The Subcommittee will conduct oversight of the Bankruptcy Code, bankruptcy judgeships, and the federal bankruptcy system.

*Department of Justice:* The Subcommittee will conduct oversight of the Civil Division, the Environment and Natural Resources Division, the Antitrust Division, the Tax Division, the Executive Office for United States Trustees and the U.S. Trustee Program, and the Office of the Solicitor General.

*Administrative Conference of the United States:* The Subcommittee will conduct oversight of the Administrative Conference of the United States.

*Antitrust and Competition Policy:* The Subcommittee will conduct oversight on a range of antitrust issues, including specific mergers, enforcement of federal antitrust laws, and enforcement of antitrust laws overseas, and matters involving competition policy.

*Arbitration:* The Subcommittee will review the operation of the Federal Arbitration Act.



# COMMITTEE ON NATURAL RESOURCES

## OVERSIGHT PLAN

### 116TH CONGRESS

**Chairman Raúl M. Grijalva**

#### INTRODUCTION

Under clause 2 of Rule X of the House of Representatives, each standing committee of the House has general oversight responsibilities to determine whether federal laws and programs addressing subjects within its respective jurisdictions are being implemented and carried out in accordance with the intent of Congress.

The Natural Resources Committee (“Committee”) has a key responsibility to ensure that our relevant federal agencies and entities are effectively administering the law and open and transparent in their operations and organization.

During previous Congresses, the Committee ignored the science and reality behind climate change, attacked environmental laws that protect communities, species, and habitats, and spent public resources catering to polluting industries. This was all done in the face of stronger hurricanes, more intense droughts, rising sea levels, and deadlier wildfires.

Addressing climate change is the greatest challenge of our time. The solution is far from simple, and Congress won’t find solutions without meaningful effort across both chambers. The Committee will conduct a thorough review of the impacts of climate change and work collaboratively with other committees to craft solutions while ensuring that all stakeholders—including minority, low-income, rural, tribal, and indigenous communities—have a voice.

This oversight plan outlines the intended and primary focuses of the Committee and Subcommittees. Additional oversight activities may arise throughout the 116th Congress.

#### *Full Committee*

The Full Committee will conduct oversight on a variety of topics in coordination with the Subcommittees, as well as on specific jurisdictional items that reside at the Full Committee level.

These Full Committee jurisdictional matters include:

*Climate Change:* Climate change affects every issue in the Committee’s jurisdiction. Such a profound, sprawling and complex challenge demands a policy response that is backed by good faith inquiry into the effects and a wide range of options. The Committee will explore the anticipated effects of climate change on the places, issues, and bureaus in its jurisdiction and ways those effects can be mitigated. It will explore the ways in which the assets of each

bureau can be mobilized to reduce the worst effects science tells us we can still avoid. The Committee will consider the role protected ecosystems play in helping preserve and protect ecosystems services, land use values, and functional ecosystems, all of which aid in climate change adaptation.

The Committee will also examine the role of the federal government in facilitating the development of clean, renewable resources in the most appropriate places on public lands and waters, consistent with other land management responsibilities and with an eye on federal actions that maximize economic opportunities and improve health and quality of life for areas facing climate disruption.

The Insular Areas are especially vulnerable to climate change because of their small size, low elevation, remote geographical location, and concentration of infrastructure along coastlines. These islands are experiencing rising air temperatures and sea levels, and warmer, more acidic coastal waters, leading to stronger hurricanes and super typhoons. The Committee will conduct oversight to examine ways to mitigate the immediate catastrophic impacts of the changing climate on these frontline areas.

*National Environmental Policy Act:* The Committee will closely examine the Trump administration's compliance with the National Environmental Policy Act (NEPA) and work to hold the administration accountable for failing to comply with the requirements of NEPA. NEPA is one of our nation's most consequential laws because it gives American communities the right to know about federal actions in advance and have a say in government decisions that impact local communities and our nation's public resources. The Committee will pay particularly close attention to the White House Council on Environmental Quality's potential revisions to NEPA regulations and expected updated guidance on greenhouse gas accounting under NEPA.

*Insular Affairs Budget and Spending Review:* The Committee will conduct oversight of the budget of the Office of Insular Affairs within the Department of the Interior (DOI).

*General Oversight of the Office of Insular Affairs:* The Committee expects to review the fundamental issues facing each of the territories and freely associated states such as: support and development of self-government and self-determination; economic development and self-sufficiency through the private sector; accountability of federal funds; implementation and enforcement of federal laws; implementation and funding for the Compacts of Free Association; and management of limited land and water resources.

*Puerto Rico:* The Committee will conduct oversight over the implementation of P. L. 114-187, the Puerto Rico Oversight, Management, and Economic Stability Act ("PROMESA"), and anticipates reviewing activities of the Oversight Board established under that act. The Committee will also monitor the activities of the Puerto Rico Electric Power Authority as it relates to efforts to privatize the utility's electricity generation and the establishment of a concessionaire to operate and manage its transmission and distribution of power, and will monitor the use of federal funding to upgrade and replace the island's electric grid. The Committee will

also conduct oversight of the response to Hurricane Maria and the ongoing efforts to assist in the recovery of the island.

*Compacts of Free Association:* The Committee will exercise its oversight authority of funding and program assistance to the Republic of the Marshall Islands and the Federated States of Micronesia in accordance with the Compact of Free Association Amendments Act of 2003 (P.L. 108–188). The Committee will similarly exercise oversight over the recently enacted Republic of Palau amended funding agreement.

*Public Law 110–229:* The committee shall continue to monitor and conduct oversight over this law that provided for the extension of U.S. immigration law to the Commonwealth of the Northern Mariana Islands.

#### *Indigenous Peoples of the United States*

*Budget Oversight:* The Committee will review the budget requests for programs and activities related to the Bureau of Indian Affairs (BIA), Bureau of Indian Education (BIE), Indian Health Service (IHS), and Office of the Special Trustee for American Indians.

*Tribal Consultation:* The federal government has a trust responsibility to ensure that meaningful tribal consultation is an integral part of the Federal decision-making process, yet Congress has never established broad-based standards for the behavior of the federal government in its interactions with tribes. Consultation with Indian tribes constitutes more than simply notifying an Indian tribe about a planned undertaking. Rather, consultation should be a collaborative process of seeking, discussing, and considering the views of participants, and, where feasible, seeking agreement with them regarding proposed activities and other matters. However, the mandate that federal agencies must engage in tribal consultation is merely the result of an executive order and can be rescinded at any time. Additionally, the current system has resulted in a myriad of consultation procedures that differ from agency to agency. To that end, the Committee will examine the shortfalls of the current consultation framework and propose solutions that establish agency-wide standards to guarantee that meaningful and effective tribal consultation occurs.

*Tribal Sovereignty:* Partisan politics have led to attempted redefining of tribal sovereignty in ways that degrade native tribal rights. The concept of tribal sovereignty is part of American history and confirmed through Supreme Court decisions. The federal trust responsibility is a unique relationship between native peoples tribal governments and the federal government. The Committee will examine the importance of tribal sovereignty and the trust responsibility.

*Trust Land:* Acquisition of trust land for the benefit of Indian tribes is essential to tribal self-determination and economic development and protects tribal lands for future generation. Tribes can establish trust land either through an act of Congress or through the “Part 151” process at DOI. Until 2009, DOI had consistently construed the Indian Reorganization Act (IRA) to authorize the Secretary of the Interior to place land into trust for any Tribe, so long as the Tribe was federally recognized at the time of the trust

application. However, the Supreme Court held in *Carcieri v. Salazar* that the Secretary's authority to place land into trust under the IRA applies only to tribes that were "under federal jurisdiction" in 1934. This overturned 75 years of precedent and created dangerous legal ambiguities related to current land-into-trust requests and established trust lands. The uncertainty the *Carcieri* decision created is threatening tribal sovereignty, economic self-sufficiency, and self-determination. The Committee will examine the original intent of the IRA in regard to Indian trust lands in order to determine a solution to the situation created by the *Carcieri* decision.

*Economic Development:* The Committee expects to examine what is needed to spur economic development on tribal lands. This endeavor will extend in several directions including the need for infrastructure conducive to development; established tribal plans, tribal laws, and regulations relating to business operations; incentives that would encourage businesses to locate on Indian reservations; and increased access for tribes to financial capital seed money. The Committee's goal with this examination will be to ensure strong, stable tribal government structures that are prepared to operate business development and foster relationships with outside enterprises for the betterment of all involved.

*Renewable Energy Development:* Many of the best locations to develop renewable energy, such as wind and solar, exist on native lands. However, many barriers still exist that limit the ability of tribes to develop these resources. The Committee intends to hold a hearing on how best the federal government can assist Indian tribes, Alaskan Native Corporations, and Native Hawaiian organizations and incentivize the development of renewable and sustainable energy resources. In addition, the Committee will work to include native resources in any energy initiative proposed during the 116th Congress.

*Infrastructure:* The BIA has responsibility for the maintenance of over 29,000 miles of roads and over 900 bridges in Indian Country, many of which are in dire need of repair or replacement. Roads and bridges are routinely washed out or made impassable due to weather, while others are simply not maintained due to lack of funding. In addition, the lack of basic infrastructure on Indian land impedes the health, safety, education, and economic development of Native peoples. The infrastructure needs of Indian Country have often been an afterthought when Congress proposes transportation funding bills. The Committee intends to conduct a hearing to collect needed information to ensure Indian lands and Indian tribes are included in any new infrastructure initiatives during the 116th Congress.

*Indian Child Welfare Act:* In 1978, Congress worked with American Indian and Alaska Native elected officials, child welfare experts, and families whose children had been unnecessarily removed from their homes, to pass the Indian Child Welfare Act of 1978 (ICWA). The ICWA was carefully designed to protect Native children and families from unscrupulous and biased child welfare practices. It provides high standards and requires accountability in the child welfare system and encourages the use of culturally specific services that are more likely to help Native children stay safely at home. However, recent court rulings have thrown the future of

ICWA in doubt and have led to increased attacks from anti-ICWA groups. The Committee will examine how these recent court decisions are undermining the intent and integrity of ICWA. This could lead to legislation that would strengthen and enhance the Act.

*Native Education:* The BIE manages a school system with 169 elementary and secondary schools and 14 dormitories, providing educational services to 48,000 individual students. However, these schools are broadly in poor condition. The BIA estimates that the cost to replace or repair the existing facilities in poor condition to be \$1.3 billion. Additionally, the deferred maintenance backlog is estimated to be over \$377 million. The Committee will look at the overall condition of the BIE school system, as well as ways to ensure that all native children are getting an equitable education in a safe and healthy environment.

*Native Healthcare:* The federal government has a trust responsibility to provide healthcare to tribes and their members. However, the federal government has not lived up to this responsibility. As a result of chronic underfunding and historical trauma, indigenous peoples suffer from a wide array of health conditions at levels significantly higher than other Americans. The Committee will look at health disparities amongst American Indian, Alaska Native, and Native Hawaiian population in comparison to the general American population. Additionally, IHS faces substantial backlogs in health care facilities construction, as well as the maintenance of existing facilities. The Committee will examine how the current state of IHS is detrimental to the health and well-being of tribal people, and what can be done to reverse the trend. The Committee will also look at Native Hawaiian Health Centers to determine solutions that will improve Native Hawaiian health care.

*Sanitation and Clean Water:* Over a half million people—nearly 48% of tribal homes—in Native communities across the United States do not have access to reliable water sources, clean drinking water, or basic sanitation. Insufficient water and sanitation systems facilitate the spread of disease, impede economic development, and cause school closures on reservations. The Committee will look at the detrimental effects of the lack of basic sanitation and access to clean water, as well as solutions for providing native people with these basic services.

*Murdered and Indigenous Women/Tribal Law Enforcement:* A nationwide crisis is occurring among American Indian, Alaska Native and Native Hawaiian women. The National Crime Information Center reported that in 2016 there were 5,712 reports of missing American Indian and Alaska Native women and girls. However, the U.S. Department of Justice's federal missing person's database only accounted for 116 cases. The Centers for Disease Control and Prevention reported that murder is the third-leading cause of death among American Indian and Alaska Native women. Often times tribal judicial systems are at odds with state jurisdictions depending on their status as a "Public Law 280" state, meaning legal authority is transferred from the federal government to state government. The layered governments add to the plethora of issues that occur when a Native woman is missing; this is especially true if the woman resides on the reservation. The Committee will gather information to develop a comprehensive bill that directly relates to

direct funding for tribal survivor services, cultural competence training for law enforcement, and off-reservation or urban on-the-ground efforts.

*Voting Rights:* In 1948, the Arizona Supreme court finally granted Native Americans the right to vote in state elections, and in federal elections with the passing of the Voting Rights Act of 1965. There are currently reports by the U.S. Commission on Civil Rights and the Native American Voting Rights Coalition that have identified barriers to Native voters in federal elections. The recent efforts on voter suppression highlight the need for a comprehensive oversight of voter issues Native Americans encounter at the polls. The Committee will examine the history and current state of native voting rights, and will seek to formulate specific language that would protect the rights of all indigenous peoples.

#### *National Parks, Forests, and Public Lands*

In the 116th Congress the Subcommittee on National Parks, Forests, and Public Lands plans to focus on: fully understanding the impacts of climate change on public lands and assessing ways in which public lands can contribute to climate change defense; ensuring that public lands serve all Americans by increasing outreach and the representation of diverse communities; ensuring fair taxpayer returns; and assessing opportunities to protect public land and water for the enjoyment and benefit of all Americans.

*Budget Oversight:* The Committee will review the budget requests for the National Park Service (NPS), Forest Service, and Bureau of Land Management (BLM) programs and activities.

*National Monuments and the Antiquities Act:* The Antiquities Act has protected some of our nation's most iconic places, including the Grand Canyon, Devil's Tower, and the Statue of Liberty. Unfortunately, the Trump administration's illegal reduction of two previously established national monuments threatens this historic, bipartisan commitment. The Committee will hold hearings to review the public input process for the arbitrary review and subsequent report that informed the decision to rescind parts of Bears Ears and Grand Staircase-Escalante National Monuments and will examine the current management planning process for the reconfigured monuments. The Committee will also consider ways to reinforce the original intent of the Antiquities Act and opportunities to designate new national monuments that serve the interests of ecological, cultural, and historical preservation, placing a special emphasis on lands under threat from climate change and human development.

*Wildfire and Forest Management:* Managing wildfire continues to be the most serious challenge facing the Forest Service, with suppression activity accounting for over half of the agency's budget. Fortunately, Congress passed a funding fix to stabilize wildfire budgeting that will come into effect in FY2020. In addition to the fix, Congress authorized a series of tools, including new categorical exclusions from the planning requirements of the National Environmental Policy Act, to increase and accelerate forest management practices designed to reduce the risks of catastrophic wildfire. The Committee plans to evaluate the Forest Service's implementation of the recent budget fix and new management tools to ensure

that the administration prioritizes locally appropriate and science-based forest restoration that promotes resilient forests, effective ecological outcomes, decreased risks, and safe communities. The committee will also examine implementation of President Trump's wildfire and forest management Executive Order to ensure that it meets these goals.

*Enhancing Public Land Protections:* Protected public places help build ecological resilience in the face of climate change, while preserving landscapes of cultural and natural significance for the benefit of future generations. These lands also serve as the backbone of a multi-billion-dollar outdoor recreation economy which has helped to revitalize rural communities. The Committee will examine opportunities to increase conservation across U.S. public lands. The Committee will also consider how "energy dominance" and other broad goals set forth by the administration pose a threat to the continued health of iconic American landscapes and local communities.

*Access and Acquisition:* Public access to national parks, forests, and public lands is a bipartisan priority that the Committee will highlight by assessing the implementation of access-oriented programs, such as the Land and Water Conservation Fund. The Trump Administration has proposed broad cuts to federal land acquisition, which would leave federal agencies without the means to acquire crucial inholdings that enhance access and make land management more efficient. The Committee expects to highlight the need to acquire land to connect ecosystems through wildlife migration corridors, to promote access for outdoor recreation, and to mitigate the impacts of climate change.

*Protecting Federal Land Management and Fair Tax Payer Returns:* In recent Congresses, under pressure from special interest groups, there have been numerous efforts to undermine Federal management of federal lands. Many of these efforts have come at the tax payers' expense, as federal lands are sold to industry interests for a fraction of their worth. The Committee will oversee the federal government's role as land manager, highlighting the unique and irreplaceable role the government plays. The Committee will also ensure that in the rare scenarios where federal land transfers are necessary, that adequate appraisal techniques are in place to ensure fair returns for the American taxpayer.

*Outreach and Representation:* National parks, forests, and public lands belong to all Americans. NPS has published theme studies to analyze existing efforts and identify opportunities for increased representation of Asian American Pacific Islander Heritage, LGBTQ American, and American Latino Heritage among others. The Committee will examine how the Trump administration's policies influence efforts to diversify access and outreach to and representation of underserved communities. The Committee will also explore legislative opportunities to increase outreach and representation throughout America's public lands.

*Cultural Resources:* National parks, forests, and public lands contain an array of valuable cultural resources, including many considered sacred by Native American communities. The Trump administration's singular pursuit of its "energy dominance" agenda has led to detrimental outcomes for many Native American commu-

nities. To that end, the National Congress of American Indians passed a resolution requesting improved protections and restoration efforts for culturally significant sites on federal lands. The Committee will examine how this administration's approach towards land management impacts the livelihoods of tribal groups, especially those in the West. Additionally, the Committee will spotlight the need to inventory cultural and historic resources on public land and identify a legislative fix to create additional protections for cultural sites.

*Grand Canyon:* Grand Canyon National Park celebrates its 100th Anniversary in 2019, which is a perfect time to revisit securing the future of this iconic American landscape. Mining in and around the Grand Canyon watershed left a toxic legacy, including contaminated water supplies, which still impact many communities. Tribal communities in particular have suffered serious consequences. Following a rigorous, science-based analysis, and citing the toxic legacy of mines in the region, the DOI in 2012, approved a 20-year withdrawal on approximately 1 million acres of public land surrounding the Grand Canyon. Unfortunately, a 2017 report by the Trump administration's U.S. Department of Agriculture recommended cancelling the 20-year moratorium on new mining claims. The Subcommittee will monitor the current administration's plans and conduct oversight to examine the benefits of making the withdrawal permanent. The oversight will include gathering information from impacted communities in the region.

*Extremism on Public Lands:* Studies show that the majority of Americans support ongoing federal efforts to conserve and protect public lands, on which they find opportunities for recreation, cultural and historical appreciation, and aesthetic enjoyment. Unfortunately, citing misleading and misguided arguments, a small but vocal minority of anti-government extremists oppose these crucial protections. The Committee will examine instances of public lands extremism and the threat that these bad actors pose to public servants and the safety of American communities. This oversight will consider the spread of anti-public-lands rhetoric and its impact on agencies' ability to do their work; ways in which extremists have threatened, intimidated, or committed violence against public lands management officials; and how agencies can best protect employees and public resources from extremist groups and individuals. This oversight will be informed in part by a forthcoming Government Accountability Office (GAO) report on extremist threats to public lands and federal land managers.

*Urban Parks:* The NPS's Urban Agenda seeks to connect the 80% of Americans living in urban areas with the natural world. Urban parks afford opportunities for people from a variety of backgrounds to connect to nature and outdoor recreation, as well as arts, culture, and history. By expanding access to parks in urban areas, which encompass one third of all national park sites and generate nearly \$5 billion in economic output, NPS will ensure these spaces continue to provide positive experiences for the many Americans who cannot frequently access more traditional NPS sites. The Committee will review NPS's implementation of this Urban Agenda, ensuring that parks remain relevant for all Americans.



*Roadless Rule:* The U.S. Forest Service's 2001 Roadless Rule protects 58.5 million acres of undeveloped landscapes throughout the National Forest System. The Committee supports enhancing access to public lands in a bipartisan manner; however, some landscapes are too unique and fragile to be bisected with roads, which in addition to being extremely expensive, can increase erosion, pollution, and habitat fragmentation. In recognition of these concerns, the Committee plans to examine the Trump Administration's efforts to evade and undermine the Roadless Rule, including the recent proposal to provide an exemption for the State of Alaska. Oversight of the administrative process for state-specific rewrites will include input from stakeholders left out of the process.

*Fee Authority:* After robust public opposition, the Trump administration scaled back plans to drastically increase entrance fees at national parks. Fees have become an important source of revenue that land management agencies use to enhance visitor experiences. The Committee expects to continue reviewing implementation of the Federal Lands Recreation Enhancement Act, which is set to expire on September 30, 2020, and the impacts of new and higher fees on visitors to parks, forests, and public lands.

*Wild Horses and Burros:* BLM proposed to euthanize thousands of wild horses and burros currently living on public lands due to a lack of funding and a lack of acreage on which to manage them. The Committee will continue examining the management of these iconic animals to develop alternatives to slaughter.

*Concessions:* The last significant changes to the National Park Service's concessions management policy were made more than twenty years ago. The Committee intends to examine implementation of the Concessions Management Improvement Act of 1998 and the recently enacted authorities included in the National Park Service Centennial Act to identify continuing problems and possible strategies to encourage innovative bids and increase competition.

*U.S. Park Police (USPP):* Despite perennial underfunding, understaffing, and a lack of necessary equipment, the Trump administration deployed USPP personnel to the Southwest border to assist with federal border enforcement activities. The Committee intends to conduct hearings and oversight to determine how this deployment fits into the USPP mission and examine other law enforcement challenges across the NPS.

*Grazing:* The fee for grazing on federal land is well below market rate and the BLM Grazing Program costs a significant amount to manage. According to a recent GAO investigation, agencies lack a comprehensive system to track and monitor unauthorized grazing on federal land. The Committee will explore opportunities to improve oversight and provide opportunities for voluntary permit retirement.

#### *Water, Oceans, and Wildlife*

*Budget Oversight:* The Subcommittee will oversee the portions of the President's budget that relate to the programs and activities of the National Oceanic and Atmospheric Administration (NOAA), the U.S. Fish and Wildlife Service (FWS), the U.S. Bureau of Reclamation (BOR), and the Water Resources Division of the U.S. Geological Survey.

*Endangered Species Act:* The Trump administration is seeking to undermine the Endangered Species Act (ESA) and the protection it provides our nation's most imperiled species. High-ranking political appointees are suspected of using their positions and influence to meddle in scientific decisions under the ESA and alter policy outcomes, potentially harming species and certainly harming the integrity of the law, as well as the morale and reputation of the agencies charged with its implementation. The Committee will oversee NOAA and FWS to ensure transparency and accountability in the implementation of the ESA and that sound science is the basis for decision-making under the law.

*Border Wall Impacts to Wildlife:* The Committee will conduct oversight hearings on the negative impact President Trump's border wall will have on communities, imperiled wildlife, and critical habitat.

*Convention on International Trade in Endangered Species (CITES):* Roughly 169 countries are party to this international agreement that provides worldwide protection for endangered plants and animals by ensuring that trade does not threaten their survival. In 2019, member countries will assemble in Sri Lanka for their regular meeting where proposals for protecting new species under the Convention will be considered. The Committee intends to hold hearings on proposals by the United States and other countries and will examine the strategies that the United States plans to pursue to achieve and promote species conservation.

*Trophy Imports:* The FWS changed its policy to consider all permits for importing elephant and lion trophies into the United States on a case-by-case basis. In doing so, FWS withdrew the ESA enhancement findings and CITES non-detriment findings for trophies of African elephants and lions killed in Zimbabwe, Tanzania, South Africa, Botswana, Namibia, and Zambia. In addition, the Department of the Interior created an International Wildlife Conservation Council to promote trophy hunting. The Committee will conduct oversight hearings to examine the Trump administration's misguided management of wildlife and trophy hunting.

*Advancing Bird Conservation in the 21st Century:* The Committee remains concerned that many bird populations around the world, including some populations of popular waterfowl species that are protected under the Migratory Bird Treaty Act (MBTA), are depleted or in rapid decline due to factors related to climate change, habitat loss and fragmentation, disease, and incidental mortality. In addition, the Trump administration released a Solicitor's Opinion and a proposed rule to no longer cover the incidental take of migratory birds under the MBTA. The Committee will conduct oversight hearings on the Trump administration actions and will pursue a legislative fix.

*Invasive Species:* Invasive, nonnative species can harm the economy, the environment, other animal species' health, and human health. However, in 2017, the D.C. Circuit Court of Appeals ruled that restrictions on interstate commerce of injurious species listed under the Lacey Act are not covered. The Committee will examine the impacts of invasive species and seek to pursue legislation to clarify that injurious species are, in fact, covered under the Lacey Act. In addition, there is controversy surrounding the amount of

time it takes the FWS to list a species as injurious. Many species are not proposed for listing until after they are already well-established, making eradication difficult, if not impossible, and defeating the effectiveness of the Lacey Act. The Committee will pursue legislation to expedite the process of listing a species as injurious.

*Implementation of the Magnuson-Stevens Act:* Among other changes to our federal fishery management system, the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act (MSA) of 2006 mandated the implementation of annual catch limits and accountability measures to end overfishing. The Committee will continue to conduct oversight regarding policies, rules, activities and operations of the Fishery Management Councils, and fishery management plan amendments designed to fulfill these and other mandates set out in MSA to ensure that the law is being implemented as Congress intended. The Committee will also examine the appropriate levels of funding needed for stock assessments and ways to bring fisheries management into the 21st Century with new innovative technologies.

*Colorado River Drought Planning:* The Colorado River, which supplies water to 40 million people, is in its 19th year of drought. Dwindling Colorado River supplies have spurred the seven Colorado River Basin states and affected stakeholders to negotiate water-use reductions and conservation incentives to prevent reservoirs from rapidly draining further. The Committee will closely follow these ongoing drought planning efforts and the continued development of the Drought Contingency Plans, which will need to be authorized by Congress to take effect.

*Addressing Drought and Climate Change Impacts:* The recent epidemic of drought has cost the nation's economy billions, and climate change is expected to make future droughts more frequent and severe. Many communities and numerous industries are harmed by drought, including fishing, agriculture, tourism, and outdoor recreation. The Committee will conduct oversight to ensure that the administration is taking appropriate steps to build climate resilience and safeguard the water supply for all stakeholders.

*California Water:* The Committee will pay close attention to ongoing efforts by the Trump administration to update ESA protections for California water projects. The Committee will also monitor the administration's implementation of Public Law 114-322, with a particular focus on implementation of the statute's operational provisions and spending on desalination, reuse, and water storage projects.

*Western Water Management:* Water is the lifeblood of communities and economies throughout the West. In October 2018, the Trump administration released a "Presidential Memorandum on Promoting the Reliable Supply and Delivery of Water in the West." The directive appears to prioritize water deliveries to narrow interests at the expense of the environment and other water stakeholders. The Committee intends to monitor the impact of this order on the West's millions of water users.

*Indian Water Rights Settlements:* Many Native communities across the United States still do not have access to reliable water sources, safe drinking water, or basic sanitation even though the Supreme Court has ruled that the federal government is respon-

sible for reserving water supplies for Indian country. This problem has historically been alleviated through the negotiation of Indian water rights settlements, which provide Native communities with water to which they are legally entitled. The Committee will closely follow Indian water rights settlement negotiations between the administration and tribes and will seek to expedite and advance ongoing water settlement negotiations.

*Columbia River Treaty Negotiations:* The Columbia River Treaty is currently being renegotiated by the United States and Canada. The Treaty governs how water projects on the Columbia River are operated in both countries. Water project operations have an impact on numerous stakeholders and the environment and greatly affect tribal fisheries in the Pacific Northwest. The federal government is in the process of developing a framework for tribal participation; however, some tribal interests have expressed concern with the direction of the current negotiations. The Committee will closely track ongoing negotiations and seek to ensure that tribal interests are protected during the negotiation process.

*21st Century Water Infrastructure:* Drought, coupled with crumbling and insufficient water infrastructure, can imperil our nation's ecosystems and dramatically reduce our nation's water supply in the years to come. Modern water technologies and infrastructure projects can help address these water supply issues. The Committee will examine the development and deployment of modern water infrastructure and technologies, including desalination and water recycling projects authorized by Congress under Public Law 114–322 and Public Law 102–575. Furthermore, much of the BOR's water infrastructure is aging and in need of repair and rehabilitation. There is bipartisan interest in ensuring that the Bureau of Reclamation properly tracks and discloses major repair and rehabilitation needs. The Committee will work to ensure that all major repair and rehabilitation needs are properly disclosed to Congress and the public.

*Coastal Management in the 21st Century:* The nation's coastal communities are facing increased threats from climate change, sea level rise, ocean plastics, ocean pollution, and ocean acidification. Forty percent of the nation's population lives in coastal counties, making it even more critical for federal, state, and non-governmental stakeholders to manage the nation's coastal zone. In 1972, Congress passed the Coastal Zone Management Act to, “preserve, protect, develop, and where possible, to restore or enhance the resources of the nation's coastal zone.” The Committee plans to explore potential legislative amendments with NOAA, the coastal states, and other stakeholders to address renewable energy, coastal climate change adaptation, retention of working waterfronts, preserving coastal open space and wildlife habitat, and strengthening our system of National Estuarine Research Reserves.

*National Ocean Policy (NOP):* In June 2018, President Trump issued an Executive Order to revoke parts of the NOP. The purpose of the original NOP was to enhance our nation's ability to maintain healthy, resilient, and sustainable ocean, coastal, and Great Lakes resources for present and future generations by developing a framework to address ways to deal with competing uses, ocean permitting, national security, and shipping. The Committee intends to

hold hearings on how President Trump's Executive Order will overturn years of critical ocean planning and policy.

*Illegal, Unregulated, and Unreported (IUU) Fishing: Human Trafficking within the Seafood Supply Chain; and Seafood Fraud:* IUU fishing, human trafficking within the seafood supply chain, and seafood fraud are serious threats to marine resource conservation, food health and security, and the economic livelihoods of U.S. fishermen. The Committee will monitor these activities and may advance legislation to strengthen enforcement mechanisms to discourage seafood entering the United States that was derived from human trafficking, IUU fishing, and seafood fraud.

*Marine Mammals:* A number of discrete marine mammal issues merit the Committee's attention during the 116th Congress. These include increasing protections for North Atlantic Right Whales and Southern Resident Killer Whales and assessing the impacts of ocean noise associated with a wide range of activities. The Committee intends to conduct oversight hearings on these issues and consider legislative initiatives as appropriate.

*Marine Aquaculture in Federal Waters:* Currently, there exists no comprehensive federal permitting and regulatory system for the siting of aquaculture facilities in the U.S. Exclusive Economic Zone, and NOAA has sought legislation to establish this authority. Such a system is needed to avoid the piecemeal approach to permitting that now poses threats to both the marine environment and public health. The Committee intends to hold hearings on permitting and site selection issues, and characterize, monitor, and mitigate the potential specific and cumulative ecological impacts of offshore aquaculture operations.

*Hydropower Licensing:* The Committee will closely examine whether FWS and NOAA are carrying out their responsibilities under the Federal Power Act. Congress has provided both agencies with broad authority to develop requirements for hydropower licensees to ensure that public resources and the environment are protected. The Committee will review whether FWS and NOAA are fully meeting their responsibilities under the Federal Power Act.

#### *Energy and Mineral Resources*

*Budget Oversight:* The Committee will examine the budgets and priorities of the USGS, the Office of Surface Mining Reclamation and Enforcement, the Bureau of Land Management (BLM), the Bureau of Ocean Energy Management (BOEM), the Bureau of Safety and Environmental Enforcement (BSEE), and the Minerals and Geology program of the Forest Service.

*Offshore Drilling:* The Committee will investigate the implementation of the offshore oil and gas program, including unnecessary efforts to develop a new 5-year National Outer Continental Shelf oil and gas leasing program opening 90% of U.S. waters to new leasing, the elimination of protections for U.S. Arctic waters, and the weakening of two critical offshore oil and gas safety rules created in response to the Deepwater Horizon disaster. The Committee will challenge any attempt to further weaken existing regulatory measures and agency structures that help safeguard marine ecosystems, offshore workers, and coastal tourism industries.

*Arctic National Wildlife Refuge:* A provision inserted in the Tax Cuts and Jobs Act without a vote opened the Arctic National Wildlife Refuge (Arctic Refuge) to oil and gas activities, and the Department of the Interior (DOI) is moving at breakneck speed to ensure oil and gas leases are issued as soon as possible. The administration has curtailed the opportunity for the public to comment on oil and gas development in the Arctic Refuge, potentially ignored science and concerns from career staff, and sped through each of the steps required to produce an environmental impact statement and conduct seismic testing. The Committee will examine the impacts oil and gas activities will have on the land, wildlife, and local communities, and the shortcuts DOI is taking to lease areas of the Arctic Refuge.

*Fossil Fuel Development on Public Lands:* The Committee is concerned that DOI is managing public lands to maximize revenue and support private interests rather than balance multiple uses and prioritize the public interest. The Committee will conduct oversight into the large-scale giveaway of public lands to the fossil fuel and mining industries, including DOI political appointees pushing lease sales near Chaco Culture National Historic Park, a recommendation to lift the moratorium on uranium mining near Grand Canyon National Park, the shrinking of the Bears Ears and Grand Staircase-Escalante National Monuments, and the reinstatement of mineral leases near the Boundary Waters Canoe Wilderness Area.

The Committee will carry out oversight over all aspects of BLM's oil and gas programs and administrative policies, including: termination of leasing reforms that were designed to help minimize conflicts with other land uses, abbreviating NEPA analyses for oil and gas permitting, and shortening public review and comment periods. The Committee will work to restore a balance between energy extraction and conservation and will investigate actions taken by the current administration that threaten public health, exacerbate air and water pollution, and undermine the public's ability to participate in the oil and gas decision-making process.

The federal coal program is an area of particular concern to the Committee. Coal consumption in the United States is plummeting. Despite President Trump's empty assurances to "bring coal back," and overly favorable leasing terms and practices by the federal government, coal is undercut by cheap natural gas and increasingly cheap renewable energy, and this trend is expected to continue. The Committee will conduct oversight on BLM's coal program and the Trump administration's continued actions to prop up the coal industry at the expense of human and environmental health. The Committee will investigate the cancellation of a Mountaintop Removal Mining Health Study by the National Academy of Sciences, Engineering, and Medicine; and the cancellation of a review of the Federal Coal Leasing Program initiated by the Obama administration in 2015.

*Onshore and Offshore Renewable Energy Programs:* Since January 2017, the administration has proposed drastic budget cuts to renewable energy programs while proposing increases to oil, gas, and coal programs. The Committee will conduct oversight of BLM's renewable energy program, BLM's Solar and Wind Energy Rule,

transmission and infrastructure requirements, and the impacts of renewable energy development on public lands. The Committee will also examine BOEM's offshore wind regulatory framework, the agency's engagement with various wind stakeholders, environmental and marine impacts of offshore wind, and the best ways to encourage development of a domestic offshore wind workforce and supply chain.

*Fair Return for Taxpayers:* Energy and mineral resources sourced from public lands belong to all Americans, and as such, taxpayers deserve fair compensation when these resources are removed from the public's possession. For years, archaic laws and outdated regulations have prevented taxpayers from receiving a fair return on coal, oil, natural gas, hardrock minerals, and other resources. Revenues from these resources are an important source of funds for both the federal government and state governments, and ensuring that companies pay their fair share will be a critical oversight issue for the Committee in the 116th Congress.

*Methane Emissions:* Emissions of methane from oil and gas operations on public lands are a significant public health and environmental threat, a waste of a valuable natural resource, and a potent greenhouse gas with 80 times the short-term warming power of carbon dioxide. This administration's repeal of the 2016 BLM methane waste rule will lead to more emissions that threaten public health, warm the climate, and waste taxpayer resources. Examining methane emissions from oil and gas operations on public land and investigating BLM's recent rulemaking will be a priority for the Committee in the 116th Congress.

*Royalty Policy Committee:* The Royalty Policy Committee (RPC) advises the Secretary of the Interior on revenue issues related to energy and mineral development on public lands. Many recommendations from the current committee touch issues far beyond the RPC's charter and primarily benefit extractive industries instead of taxpayers, such as lowering offshore oil and gas royalty rates, accelerating oil and gas development in the Arctic Refuge, reducing timelines for permit approvals, and changing how BLM handles land use planning and approvals under NEPA. In the 116th Congress, the Committee will dig into the outsized influence industry has on the RPC, investigate whether the RPC has exceeded its charter, and work to make sure public interest and environmental advocates receive a seat at the table.

*U.S. Geological Survey:* In December 2017, USGS released an updated resource assessment for the National Petroleum Reserve—Alaska that greatly increased the estimate of oil and natural gas resources in the region. Such resource assessments have the potential to affect stock markets, so USGS policy states that these are not disclosed or shared, even internally, in advance of public release. At the apparent request of then-Deputy Secretary Bernhardt, the final results of the energy assessment were provided to then-Secretary Zinke several days in advance of the public release, a breach of policy that led to the resignation of two top agency scientists in protest. In the 116th Congress, the Committee will investigate this matter and will seek to discover the extent to which DOI officials are violating science integrity policies and encouraging Department of the Interior staff to do the same.

*Abandoned Mine Lands:* The Abandoned Mine Land (AML) program should be extended for coal while being replicated by the hardrock mining industry. Abandoned Mine Land remediation projects improve the environment, protect public health and safety, and provide jobs and economic development opportunities across the nation. The Committee will conduct oversight into the functionality and future of the AML Program, and how the cleanup of mines may be accelerated and tied to economic development opportunities.

*Critical Minerals:* Minerals are considered “critical” if they satisfy two conditions: they are at high risk of a potential supply disruption, and they perform essential functions for which there are few if any satisfactory substitutes. The Committee will examine the need for critical minerals in advanced energy technologies and will conduct oversight on the potential to enhance critical mineral substitution and secondary recovery. The Committee will also conduct oversight on DOI’s dubious inclusion of uranium on its recently issued Critical Minerals List.

*1872 Mining Law:* The Committee will again consider legislation to reform the nation’s antiquated mining law and examine ways to bring the nation’s hardrock minerals policy into the 21st century. Unlike nearly every other country in the world, the United States operates on an open-access policy for hardrock minerals on public lands, rather than a leasing system, and development occurs without any royalty being paid to the American taxpayers. The Committee intends to closely investigate hardrock mining operations on public lands and the operation of federal hardrock mining programs to determine how the public interest can be better protected.

*Power Marketing Administrations:* The Committee will conduct oversight of the four Power Marketing Administrations that sell hydroelectricity used by millions of retail electricity customers. The Committee will pay particular attention to environmental mitigation programs, physical and cyber security planning, and ongoing efforts to update hydropower operations to ensure compliance with our nation’s bedrock environmental laws, including NEPA and the ESA.

#### *Oversight & Investigations*

The Committee will conduct oversight of and investigations into operations at the Department of the Interior, the National Oceanic and Atmospheric Administration, and the Forest Service. The Committee will work to ensure transparency and accountability by rooting out corruption, waste, fraud, and abuse.

*Conflicts of Interest:* Public officials and federal employees have an obligation to serve the public free from financial or corporate influence. The Committee will oversee agency decision-making to ensure independence from improper influence. Those who violate ethics principles or the law will be held accountable. The Committee will also conduct oversight of agencies’ ethical operations to ensure they are fully staffed, resourced, and supported by leadership.

*Obstruction of Justice:* In addition to the efforts of the Committee, oversight by independent investigative agencies is essential. Investigators must be able to conduct inquiries promptly, thoroughly, and independently to ensure government transparency and



accountability. An agency's obstruction of or refusal to fully comply with investigative requests may constitute a violation of law. The Committee will investigate instances of obstruction to ensure investigative bodies are able to complete their work.

*Scientific Integrity:* Sound, objective science is the backbone of decision-making in the agencies and bureaus under the Committee's jurisdiction. The Committee will work to ensure that scientific research and programs, including those related to the effects of human-induced climate change, are not unduly influenced by political or financial pressure. The Committee will also work to ensure that violations of scientific integrity are investigated promptly, thoroughly, and without improper influence. If violations occur, the Committee will ensure that those responsible are held accountable.

*Sexual Harassment and Other Forms of Harassment:* The agencies and bureaus within the Committee's jurisdiction have a number of organizational risk factors that put their employees at increased risk for harassment, including sexual harassment. These risk factors include geographically isolated workplaces, homogeneous workforces, and gendered power disparities, among others. Addressing the cultural issues that underpin persistent organizational harassment problems requires a major commitment of resources and leadership over a period of years. The Committee will work to ensure that employees within these agencies and bureaus have access to effective policies, procedures, and resources that help protect them in the workplace. The Committee will also work to ensure that agencies are making rapid, meaningful progress toward changing agency culture in ways that address harassment issues.

*Departmental Reorganization and Employee Reassignments:* The Committee will oversee the Department of the Interior's reorganization efforts, including any significant changes to interagency reporting structures and agency headquarters locations. In addition, the Committee will oversee staff reassignments, particularly those with potentially retaliatory or political motivations.

*The Border Wall and Other Barriers:* The Secretary of Homeland Security has unprecedented, sweeping, and possibly unconstitutional authority to waive "all legal requirements" in order to construct barriers and roads along the U.S.-Mexico border, including on public lands. The Secretary has exercised this authority ten times since 2005. As a result, the existing border barriers have had significant environmental, economic, and social consequences on border lands and communities, which disproportionately affect communities of color. The Committee will conduct oversight of the existing barriers as well as use of the waiver authority to construct any new barriers or walls, particularly on public lands.

## ADDITIONAL VIEWS

*Tribal Infrastructure and Economic Development:* In prior Congresses, the Committee explored a number of avenues to improve Indian health care facilities. The Committee can be supportive of projects that improve roads and bridges; however, these are not under the jurisdiction of the Committee.

*Native Healthcare:* In prior Congresses, the Committee spent a considerable amount of time analyzing the state of the Indian health care delivery system after record funding increases to the Indian Health Service (IHS). The Committee determined that despite these increases, the health care system is in dire need of reform. Legislation was reported by the Committee in the 115th Congress which should move through the Committee again. Massive funding increases or moving the IHS budget into mandatory spending will not address the problems plaguing the agency.

*Tribal Consultation:* Under the Obama Administration, the Department of the Interior paid lip service to tribal consultation. On the other hand, their policies related to energy development were imposed upon tribes without meaningful consultation. On the Obama Administration's Venting and Flaring rule, the Mandan, Hidatsa and Arikara Nation stated, "Consultation to date has not been meaningful." Similarly, the Ute Tribe stated, "This kind of paternalism is not the modern role of the federal trustee." On the Obama Administration's Hydraulic Fracturing rule, the Navajo Nation stated, "The breadth and depth of [Bureau of Land Management] outreach and consultation with Indian Country has been insufficient given the potential impact the rule could have on tribal energy resources and economic development." The Chairman's commitment to make tribal consultation a priority, and not subject to the whims of the executive branch, should be commended.

*Tribal Sovereignty:* It is unfortunate that some in Congress have used partisan politics to undermine tribal rights. I applaud the Chairman for promising to address tribal sovereignty. Many Democrats in Congress have continuously voted against policies that promote sovereignty, especially when it comes to a tribe's labor force.

*National Monuments and the Antiquities Act:* The Committee in prior Congresses established an oversight record of prior abuses by Presidents of the Antiquities Act in unilaterally declaring vast stretches of the western U.S. national monuments with little to no input by local, State, or federal delegation officials. One such example was the 1996 establishment of the Grand Staircase-Escalante National Monument by President Clinton under the Antiquities Act without having informed the Utah Governor or the Utah Congressional delegation. The Committee should continue to examine responsible modifications to the Antiquities Act to ensure greater public and stakeholder input, particularly by elected local and State officials. Recent executive actions by the Trump Administra-

tion to include common-sense local inputs in modifying the boundaries of the Grand-Staircase and Bears' Ears National Monuments should serve as a model to guide responsible future permanent legislative modifications of the Act.

*Wildfire and Forest Management:* Effective, scientifically-based management of U.S. forests continues to be hampered by excessive litigation by national special interest groups and cumbersome agency regulations, which combine to impede efforts to eradicate devastating insect infestations, and delay or stop the harvesting of timber. Prior oversight hearings on effective forest management have clearly demonstrated the wisdom of facilitating the environmentally-responsible harvesting and re-planting of forest lands, which not only produce useful timber products, but continuously improve forest soils and its carrying capacity, preserve watersheds, maximize carbon capture, and reduce the build-up of fuel loads which lead to massive forest mega-fires. The Committee should examine ways to streamline the environmental permitting process to facilitate these scientifically-responsible forest management practices.

*Federal Law Enforcement:* The Committee should carefully examine the proper uses of law enforcement power and procedures by the Interior Department agencies to ensure that prior abuses by rogue Interior law enforcement personnel, particularly in the Bureau of Land Management, do not recur, and that notification and cooperation by the federal government with State and local law enforcement officials is made mandatory.

*Grazing:* When managed properly, grazing of federal lands can enhance the health of rangelands and reduce the fuel-build up which contribute to extreme wildfires. As one of the most effective wildfire-reduction tools, grazing can also help preserve the habitat for such wildlife species as the Greater Sage Grouse. The Committee should examine ways in which grazing can be used to benefit the economy and the health of federal range lands, and to preserve the practice against frivolous litigation and unnecessary regulation.

*Endangered Species Act:* The original intent of the Endangered Species Act of 1973 (ESA) was not only to designate species as endangered or threatened, but to create federal policies and actions to recover these listed species. In the prior Congress, this Committee has proven to be champions for the ESA, passing 13 bills out of Committee in the 115th Congress. Acting as strong proponents of transparency and accountability, this Committee supported legislation that focused on State-led science-based recovery strategies while building a framework for future discussions with all stakeholders. The Majority's plan proposes overseeing the implementation of the ESA. The Committee needs to continue to support past legislation that modernized this landmark statute to alter the fatal design flaws that inhibit greater success for species recovery, environmental protection and economic prosperity.

*Marine Mammals:* While the Majority focuses the Committee's attention on two specific species—the North Atlantic Right Whale and the Southern Resident Killer Whale—and the impact ocean noises may have on these two species, the Committee loses perspective. Instead of considering legislative initiatives that will protect

our ocean species while ensuring “healthy oceans and healthy economies,” the Majority intends to conserve hand-chosen species with no regard to coastal economies. The Majority’s focus on the impact of ocean noises deters offshore renewable energy projects, despite their promotion of these same renewable energy sources under the “Green New Deal.” Instead of limiting marine mammal conservation efforts to charismatic megafauna and villainizing seismic activity, which is critical for multiple offshore purposes, the Committee should explore ways to ensure species conservation while supporting a healthy blue economy.

*Arctic National Wildlife Refuge:* The Committee’s desire to discuss the Department of the Interior’s opening of less than ten percent of the Arctic National Wildlife Refuge to development at “breakneck speed” is exciting, as it will provide an opportunity to examine the bountiful resources that exist in this region and highlight the economic benefits the oil and gas industry has brought to Alaska’s native population. After all, the Majority has acknowledged the need to discuss tribal sovereignty and economic development, and what better way to do so than to highlight the Arctic Slope Regional Corporation, which has maximized the economic benefits of the resources provided to them, while maintaining their cultural and ethnic heritage. Furthermore, an examination of this region will allow the Committee to discuss new drilling techniques, such as those that allow a single, 12-acre well pad to reach 154 square miles, whereas in 1970 a similarly sized well pad could only reach 3 square miles.

*Critical Minerals:* The Majority correctly defines a critical mineral as one that: 1) is at high risk of a potential supply disruption; and 2) performs essential functions for which there are few if any satisfactory substitutes. With the desire to examine the “need for critical minerals in advanced energy technologies,” presumably including those critical minerals such as bauxite, cobalt, gallium and tellurium needed for the production of wind turbines and solar panels, the Committee should focus on lessening the nation’s dependence on foreign sources for these materials. In doing so, the Committee could develop legislation that would promote the rapid development of domestic mines, thereby safeguarding our nation’s renewable energy transition.

*Fair Return for Taxpayers:* The Majority’s acknowledgement that our federal energy and mineral resources provide “an important source of funds for both the federal government and state governments” is refreshing. Certainly then, the Committee should commend and favorably highlight the current Administration’s efforts to reverse the handicapping regulations and policies that limited development of these federal resources, in turn diminishing revenues. For example, in 2018 the Department of the Interior tripled the previous record set in 2008 for revenues raised from onshore oil and gas lease sales alone to an astounding \$1.1 billion, of which \$550 million will be used by States to fund education and public services. The Committee should continue holding legislative hearings on bills that would codify the efforts of the Department that have reduced red tape, maximized revenues returned to the federal and State governments, and ensured our federal lands are being used in the most efficient and productive ways possible.

*Offshore Drilling:* As the Majority investigates the implementation of the offshore oil and gas program and disparages the “unnecessary efforts” to develop a new 5-year plan, the Committee will discover the overwhelming economic and conservation benefits the offshore industry provides to this country. Without offshore drilling, bipartisan programs such as the Land and Water Conservation Fund would be underfunded, and the nation’s Gulf states would have less funding to protect against the threats of climate change. The Committee should examine the expansion of offshore drilling and revenue sharing programs and the economic benefits and accompanying coastal resiliency that would occur because of such expansion.

*Regulatory Review of Natural Resources Laws:* Committee oversight activities should collect relevant information to support the Committee’s ability to develop legislation, monitor the implementation of public policy, and transparently ensure the government’s performance in subject matters within the Committee’s jurisdiction. Accordingly, the Committee should conduct oversight on the effectiveness of major natural resources laws within the Committee’s jurisdiction. Focus should be provided on how laws such as the National Environmental Policy Act of 1969, the Wilderness Act, the Federal Land Policy and Management Act of 1976, the Marine Mammal Protection Act of 1972 and the National Historic Preservation Act of 1966 may exceed their regulatory purposes resulting in costly litigation and other adverse consequences for the environment, proper management of federal natural resources, and to American taxpayers.

*Sexual Harassment and Other Forms of Harassment:* The Committee should continue the oversight initiatives examining hiring practices and policies and instances of employee misconduct at the agencies and bureaus within the Committee’s jurisdiction. Bipartisan review during the 115th Congress of the personnel management reforms being implemented by the Trump Administration should continue.

*Scientific Integrity and Grant Accountability:* The need to ensure scientific integrity at the agencies and bureaus within the Committee’s jurisdiction should include the oversight of various government funding recipients. The Committee should also conduct oversight of federal grants awarded by the agencies and bureaus within the Committee’s jurisdiction to ensure efficiency, fairness, and transparency of the grantmaking process.

*Federal Lands and Border Protection:* In prior congresses, the Committee investigated challenges faced by Border Patrol agents on federal borderlands and the environmental impact of illegal border crossings and drug smuggling. The remote location of large portions of federally-owned borderland make them a popular location for cross-border violators (CBVs), such as drug and human smugglers. Moreover, stakeholders reported that bureaucratic regulations and policies related to federal natural resources laws slow or impede Border Patrol operations on federally-owned land. The violence associated with high levels of CBVs deprives the public of access to federally-owned lands and causes significant damage to local environments. The Committee should continue to examine the

significant environmental, economic, and social consequences on federal borderlands by CBVs and promote appropriate solutions.

# **COMMITTEE ON OVERSIGHT AND REFORM**

## **OVERSIGHT PLAN**

**Committee on Oversight and Reform**

**U.S. House of Representatives**

**116th Congress**

**The Honorable Elijah E. Cummings, Chairman**

Rule X, Clause 2(d) of the Rules of the House of Representatives requires each committee of the House to submit an oversight plan to the Committee on Oversight and Reform and the Committee on House Administration by March 1 of the first session of Congress.

The following is the oversight plan for the Committee on Oversight and Reform for the 116th Congress. This plan consists of topics designated for investigation, evaluation, and review by Chairman Elijah E. Cummings, in consultation with Ranking Member Jim Jordan, other Committee Members, and other Committees.

Before the end of March, the Government Accountability Office (GAO) is expected to issue its biannual “High Risk” report, which identifies government programs that are particularly vulnerable to waste, fraud, or abuse.<sup>3</sup> In addition, the Inspectors General from various agencies have submitted audit plans to the Committee.<sup>4</sup> The Committee will review GAO’s report and the Inspector General plans and investigate areas of concern as appropriate.

The Committee has received, and will continue to receive, information from whistleblowers regarding waste, fraud, and abuse. Whistleblowers perform an essential service to the Committee, flagging critical issues that otherwise might go unnoticed and unaddressed.

Below are descriptions of some of the issues the Committee intends to investigate during the 116th Congress. This list is not exhaustive but highlights significant areas for Committee oversight. The Committee will retain the flexibility to investigate emerging abuses and other issues as appropriate.

### **HEALTH CARE AND INCREASING DRUG PRICES**

The Committee’s most important health care priority for the 116th Congress is investigating the actions of drug companies in

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<sup>3</sup>See, e.g., Government Accountability Office, *High Risk Series: Progress on Many High-Risk Areas, While Substantial Efforts Needed on Others* (GAO-17-317) (Feb. 15, 2017).

<sup>4</sup>See, e.g., Office of Inspector General, Department of Labor, *Office of Audit Workplan Fiscal Year 2019* (November 2018).

raising prescription drug prices in the United States, as well as the effects of these actions on federal and state budgets and on American families. This was the subject of the Committee's first investigation and first hearing. The Committee recognizes the complex nature of the prescription drug industry and the need to examine the role of all pertinent actors.

For years, drug companies have been aggressively increasing prices on existing drugs and setting higher launch prices for new drugs while recording windfall profits. The goals of this investigation are to determine why drug companies are increasing prices so dramatically, how drug companies are using the proceeds, and what steps can be taken to reduce prescription drug prices.

Research and development efforts on groundbreaking medications have made immeasurable contributions to the health of Americans, including new treatments and cures for diseases that have affected people for centuries. But the ongoing escalation of prices by drug companies is unsustainable. As President Trump has said, drug companies are "getting away with murder."<sup>5</sup>

In addition, the Committee will examine the opioid crisis and the urgent need for more resources to expand access to treatment and support services for those with substance use disorders. The Committee will examine the role of drug companies in aggressively marketing opioids while knowing their addictive dangers, as well as the profits these companies made as a result of their actions. The Committee will review the federal government's actions to address the opioid epidemic, including those of the Office of National Drug Control Policy, which was reauthorized in the 115th Congress.

The Committee will examine actions that inhibit access to high-quality, affordable health care in the United States, including the Executive Branch's implementation of the Affordable Care Act and the Medicaid program.

The Committee will continue to examine efforts by the Centers for Medicare and Medicaid Services to improve program integrity and beneficiary outcomes.

The Committee will evaluate the extent to which communities of color, women, and the LGBTQ population are able to access the full continuum of health care services, including federal policies and programs related to reproductive health.

#### EXECUTIVE BRANCH ETHICS, TRANSPARENCY, AND ACCOUNTABILITY

Another top priority for the Committee in the 116th Congress is conducting robust oversight of a wide range of laws and regulations regarding Executive Branch ethics.

The Committee's second hearing of the year was a review of H.R. 1, the For the People Act, which is one of the boldest reform packages to be considered in the history of the House of Representatives.<sup>6</sup> This sweeping legislation, which was based on multiple

<sup>5</sup>*Trump on Drug Prices: Pharma Companies Are "Getting Away with Murder,"* Washington Post (Jan. 11, 2017) (online at [www.washingtonpost.com/news/wonk/wp/2017/01/11/trump-on-drug-prices-pharma-companies-are-getting-away-with-murder/?noredirect=on&utm\\_term=.bf515b3ac693](http://www.washingtonpost.com/news/wonk/wp/2017/01/11/trump-on-drug-prices-pharma-companies-are-getting-away-with-murder/?noredirect=on&utm_term=.bf515b3ac693)).

<sup>6</sup>*House Democrats' Big Democracy Reform Package is Good Policy, and Smart Politics,* Vox (Dec. 10, 2018) (online at [www.vox.com/polyarchy/2018/12/10/18134994/house-democrats-democracy-reform-package](http://www.vox.com/polyarchy/2018/12/10/18134994/house-democrats-democracy-reform-package)); Democracy Task Force, *Leading Grassroots Advocacy Organizations En-*



abuses over the past several years, is intended to clean up corruption in government, fight secret money in politics, and make it easier for American citizens across this country to vote.

As part of this broad effort, the Committee will investigate specific allegations that Executive Branch officials are not acting in the best interest of American taxpayers, including by taking actions to benefit themselves, former employers, or former clients.<sup>7</sup>

The Committee will examine allegations that Executive Branch employees, including White House employees, are violating the Ethics in Government Act, regulations issued by the Office of Government Ethics, Executive Order 13770, and other laws, regulations, and guidance.<sup>8</sup>

The Committee will investigate allegations that White House and agency employees have violated the Hatch Act.<sup>9</sup> The Committee will conduct oversight of efforts to implement and enforce the Hatch Act by the Office of Special Counsel.

The Committee will investigate reports that White House and other Administration officials are obstructing GAO audits, evaluations, and investigations and refusing to cooperate with agency Inspectors General.<sup>10</sup> The Committee will work with the Inspector General community to ensure they have the necessary tools and are performing their oversight fairly and responsibly.

The Committee will investigate allegations that White House officials are not complying with the Presidential Records Act.<sup>11</sup> The Committee will investigate allegations that White House officials are using personal email accounts, text messages, phone-based message applications, or encryption software to conduct official business.<sup>12</sup>

The Committee will examine the implementation of open government laws, such as the Federal Records Act, the Freedom of Information Act, the Federal Advisory Committee Act, and other transparency laws.

*dorse House Democrats' Once-In-A-Generation Reform Package* (Jan. 9, 2019) (online at [democracyreform-sarbanes.house.gov/newsroom/press-releases/leading-grassroots-advocacy-organizations-endorse-house-democrats-once-in-a](https://democracyreform-sarbanes.house.gov/newsroom/press-releases/leading-grassroots-advocacy-organizations-endorse-house-democrats-once-in-a)).

<sup>7</sup> See, e.g., *E.P.A. Chief Scott Pruitt Resigns Under a Cloud of Ethics Scandals*, New York Times (July 5, 2018) (online at [www.nytimes.com/2018/07/05/climate/scott-pruitt-epa-trump.html](https://www.nytimes.com/2018/07/05/climate/scott-pruitt-epa-trump.html)); See e.g., *Trump Team's Conflicts and Scandals: An Interactive Guide*, Bloomberg (Jan. 25, 2019) (online at [www.bloomberg.com/graphics/trump-administration-conflicts/](https://www.bloomberg.com/graphics/trump-administration-conflicts/)).

<sup>8</sup> See, e.g., *Wilbur Ross Scheduled Meetings with Chevron, Boeing Despite Conflicts of Interest*, Forbes (Oct. 25, 2018) (online at [www.forbes.com/sites/danalexander/2018/10/25/wilbur-ross-scheduled-meetings-with-chevron-boeing-despite-conflicts-of-interest/#30c51af94d0e](https://www.forbes.com/sites/danalexander/2018/10/25/wilbur-ross-scheduled-meetings-with-chevron-boeing-despite-conflicts-of-interest/#30c51af94d0e)).

<sup>9</sup> See e.g., Office of Special Counsel, *OSC Concludes Hatch Act Investigation of Kellyanne Conway, Finds Two Violations, and Refers Findings to President for Appropriate Disciplinary Action* (Mar. 6, 2018) (online at <https://osc.gov/News/pr-18-24.pdf>); See, e.g., *Six White House Officials Reprimanded for Violating the Hatch Act*, Washington Post (Nov. 30, 2018) (online at [www.washingtonpost.com/politics/six-white-house-officials-reprimanded-for-violating-the-hatch-act/2018/11/30/e4a12cb8-f4bf-11e8-aeaa-b85fd4449f5\\_story.html?utm\\_term=.6504cfaf022c](https://www.washingtonpost.com/politics/six-white-house-officials-reprimanded-for-violating-the-hatch-act/2018/11/30/e4a12cb8-f4bf-11e8-aeaa-b85fd4449f5_story.html?utm_term=.6504cfaf022c)).

<sup>10</sup> See, e.g., Letter from Thomas H. Armstrong, General Counsel, Government Accountability Office, to Donald F. McGahn II, Counsel to the President, The White House (May 9, 2018) (online at <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/McGahn%20Letter.pdf>).

<sup>11</sup> *Trump's Argument in Record-Keeping Case: 'Courts Cannot Review the President's Compliance with the Presidential Records Act'*, Washington Post (Jan. 17, 2018) (online at [www.washingtonpost.com/local/public-safety/trumps-argument-in-record-keeping-case-courts-cannot-review-the-presidents-compliance-with-the-presidential-records-act/2018/01/17/fb1eb520-fba8-11e7-ad8c-ecbb62019393\\_story.html?utm\\_term=.c55089c449ce](https://www.washingtonpost.com/local/public-safety/trumps-argument-in-record-keeping-case-courts-cannot-review-the-presidents-compliance-with-the-presidential-records-act/2018/01/17/fb1eb520-fba8-11e7-ad8c-ecbb62019393_story.html?utm_term=.c55089c449ce)).

<sup>12</sup> *Id.* See, e.g., Letter from Chairman Jason Chaffetz, Ranking Member Elijah E. Cummings, House Committee on Oversight and Government Reform, to Donald F. McGahn, II, Counsel to the President, The White House (Mar. 8, 2017); Letter from Chairman Trey Gowdy, Ranking Member Elijah E. Cummings, House Committee on Oversight and Government Reform, to Donald F. McGahn, II, Counsel to the President, The White House (Sept. 25, 2017).

The Committee will continue to investigate allegations of retaliation against whistleblowers. The Committee's oversight efforts will include investigating the Administration's use of nondisclosure agreements that violate the Whistleblower Protection Act.

#### THE PRESIDENT'S BUSINESS INTERESTS, CONFLICTS OF INTEREST, AND EMOLUMENTS

After Donald Trump was elected President in 2016—but before he was sworn in—both Republican and Democratic ethics experts warned that he should completely divest himself of his myriad business interests and place the proceeds into a truly independent blind trust. They explained that if the President decided not to follow decades of precedent set by previous Presidents, he would bring upon himself criticism that his decisions are not based on the best interests of the nation but on the financial interests of himself and his family.<sup>13</sup>

President Trump chose to disregard this advice. As a result, he continues to have financial interests in businesses across the United States and around the world that pose both perceived and actual conflicts of interest. They also raise grave questions about whether President Trump is receiving emoluments that are prohibited by the U.S. Constitution “without the consent of Congress.”

Related to these decisions, President Trump also chose to defy decades of precedent by concealing his tax returns from the public, so Congress and the American people cannot fully evaluate his global financial interests.

Based on President Trump's decisions, the Committee is now charged with conducting robust and independent oversight of the President and his family's multiple business interests in order to guard against financial conflicts and unconstitutional emoluments.

Recognizing the unprecedented nature of President Trump's actions, the House of Representatives voted at the beginning of the 116th Congress to take several steps.

First, the House changed the name of the Committee from the “Committee on Oversight and Government Reform (OGR)” to the “Committee on Oversight and Reform (COR),” recognizing that the Committee has been conducting, and will continue to conduct, oversight of both governmental and private sector entities and individuals.

Second, the House made clearer in its Rules that the Committee has jurisdiction over the White House. For decades, the Committee has been the principal oversight committee of the House of Representatives, and it has had broad authority to investigate “any matter” at “any time” under House Rule X. House Rule X now makes clearer that the Committee on Oversight and Reform has jurisdiction to “study on a continuing basis the operation of Government activities at all levels, including the Executive Office of the President.”

For example, the Committee is investigating President Trump's failure to report on his annual Financial Disclosure form hundreds of thousands of dollars in payments and liabilities to his former at-

<sup>13</sup> See, e.g., House Committee on Oversight and Government Reform Democrats, *Minority Forum with Bipartisan Ethics Experts on Trump's Conflicts of Interest* (Dec. 14, 2016).

torney, Michael Cohen, to silence women alleging extramarital affairs during the 2016 presidential campaign. The Committee is also investigating campaign finance violations by the President and others relating to these payments.

The Committee is conducting oversight of the General Services Administration's management of its lease of the Old Post Office Building to the President's company for the Trump International Hotel in Washington, D.C. As part of this review, the Committee is examining whether the President's company is in breach of Article 37.19 of the lease, which provides: "No member or delegate to Congress, or elected official of the Government of the United States or the Government of the District of Columbia, shall be admitted to any share or part of this Lease, or to any benefit that may arise therefrom."

The Committee is conducting oversight of the General Services Administration's management of a decade-long procurement for a new headquarters building for the Federal Bureau of Investigation to replace the J. Edgar Hoover Building in Washington, D.C. The Committee is examining whether proposals for the expenditure of taxpayer funds protect against waste, fraud, and abuse, and whether any officials inappropriately interfered in the decision to cancel the procurement in favor of a costlier option.

The Committee is investigating the Administration's travel spending, including the President's spending on trips to Mar-a-Lago. GAO found that the Trump Administration spent approximately \$13.6 million in taxpayer funds for just four of the trips President Trump has taken to Mar-a-Lago.<sup>14</sup>

#### SECURITY CLEARANCES

One of the Committee's most critical national security investigations in the 116th Congress is its in-depth review of the security clearance process at the White House and the Trump Transition Team in response to grave breaches of national security at the highest levels of the Administration, including by former National Security Advisor Michael Flynn and others.

The goals of this investigation are to determine why the White House and Transition Team appear to have disregarded established procedures for safeguarding classified information, evaluate the extent to which the nation's most highly guarded secrets were provided to officials who should not have had access to them, and develop reforms to remedy the flaws in current White House systems and practices.

In addition, the investigation will seek to determine why the White House is currently defying federal law by failing to provide to Congress information about its security clearance process required by the SECRET Act, a bipartisan bill that passed out of the Committee, passed both Houses of Congress, and was signed into law by President Trump on May 22, 2018.

The Committee will continue its oversight of efforts to reform the government-wide security clearance process, including the reduction of the background investigation backlog and impending transi-

<sup>14</sup> Government Accountability Office, *Presidential Travel: Secret Service and DOD Need to Ensure that Expenditure Reports are Prepared and Submitted to Congress* (Jan. 2019) (online at [www.gao.gov/assets/700/696512.pdf](http://www.gao.gov/assets/700/696512.pdf)).

tion of all investigation functions from the National Background Investigations Bureau to the Defense Department.

#### VOTING RIGHTS, VOTER SUPPRESSION, AND ELECTION SECURITY

The right to vote is fundamental to our democracy. Yet in recent elections, there have been numerous reports of attempted or actual voter suppression, and federal courts have struck down several state laws that disproportionately impacted minority voters. The Committee will investigate the development and impact of laws and policies that have hindered eligible individuals from registering to vote and casting their ballots. The Committee will examine the effectiveness of federal, state, and local efforts to increase voter registration and turnout. The Committee will conduct robust oversight to support the Voting Rights Act and other laws aimed at preventing barriers to those seeking to exercise their right to vote.

The Committee will conduct oversight of the security of election infrastructure and efforts by federal, state, and local governments to ensure elections and election systems are resilient against intrusion or interference.

#### ENVIRONMENT AND PUBLIC HEALTH

The Committee intends to examine government and private sector policies and actions related to the environment, natural resources, and public health. The Committee will review the extent to which federal agencies responsible for environmental and public health protection are fulfilling their statutory missions.

For example, the Committee will examine climate change. The earth is warming, humans are causing it, and action is needed now to stop it. The United States must lead the way in reducing emissions and seeking other ways to combat climate change, while also adapting to the impacts that Americans are already experiencing, including rising sea levels and more extreme weather. The Committee intends to conduct oversight of government and nongovernment activities related to these issues.

The Committee will continue its investigation of the Flint water crisis. Thousands of Americans in Flint, Michigan have been poisoned by their water, and many questions remain about the decision to switch the source of drinking water in Flint and about state government officials' response to this crisis.

The Committee will continue its investigation of the federal government's response to Hurricanes Irma and Maria in Puerto Rico and the U.S. Virgin Islands in 2017. In the weeks and months that followed, critical aid failed to reach millions of hurricane survivors. The Committee will examine who was responsible for the federal government's inadequate response, why the Trump Administration failed to heed the lessons learned after Hurricane Katrina, and whether recovery efforts remain insufficient.

#### IMMIGRATION

The Committee intends to conduct oversight of the Department of Homeland Security, the Department of Justice, the Department

of Health and Human Services, and other agencies tasked with developing and implementing federal immigration policies.

The Committee will investigate Trump Administration policies that have separated thousands of children from their families at the southern border. This investigation will include accounting for the separated children, as well as examining the planning, implementation, and impact of these policies.

The Committee also intends to examine the development and impact of Administration policies relating to the immigration detention system, visa and asylum applications, and other issues administered by Immigration and Customs Enforcement, Customs and Border Protection, U.S. Citizenship and Immigration Services, and other relevant agencies.

#### WORKERS' RIGHTS AND PROTECTIONS

The Committee will examine issues related to the protection of workers' rights, including issues relating to wages and benefits, employment agreements, working conditions, and the right to organize and bargain collectively.

Since 2011, federal employees have contributed nearly \$200 billion to deficit reduction and other government programs. Federal workers have endured pay freezes, hiring freezes, higher pension contributions, and furloughs as a result of sequestration and government shutdowns, including the longest shutdown in our nation's history.

The Committee will conduct oversight of the Administration's efforts to weaken collective bargaining rights and employee protections affecting federal workers. The Committee's oversight will seek to ensure that such efforts do not undermine the statutory right to bargain, the ability of employee unions to represent federal workers, or employee due process rights. The Committee will work to prevent the return of the current merit-based civil service to a patronage system.

The Committee will examine the impact of federal agency vacancies at all levels, staffing reductions, and a lack of diversity and inclusion in the federal workforce on employee engagement, morale, productivity, and agency mission.

Federal employees have the right to work in an environment free from any form of sexual harassment, and they have the right to report allegations of harassment or bullying without fear of retaliation. The Committee will examine how allegations of sexual harassment and sexual misconduct are handled at federal agencies, including the need for legislation to strengthen standards for agency processes used to receive and investigate allegations of harassment and bullying. The Committee will examine ways to improve agency processes for disciplining employees found to have committed sexual misconduct.

#### HOMELAND AND NATIONAL SECURITY

The Committee intends to conduct oversight of multiple agencies charged with securing the homeland, enhancing national security, and promoting American interests overseas.

For example, the Committee is investigating alleged efforts by former National Security Advisor Michael Flynn and others within

the White House to rush the transfer of highly sensitive U.S. nuclear technology to Saudi Arabia in potential violation of the Atomic Energy Act and without review by Congress as required by law.

The Committee will examine management at the Transportation Security Administration (TSA), with a focus on implementation of unfulfilled security recommendations made by the Inspector General, GAO, and TSA's own internal testing teams. The Committee will continue the work of previous congresses and examine the agency's transparency, the agency's response to whistleblower claims, and the agency's use of non-disclosure agreements.

The Committee will examine management of the Coast Guard, including the Coast Guard's response to allegations and findings of harassment, bullying, and retaliation at the Coast Guard Academy.

The Committee will investigate reports that senior political appointees at the State Department and White House have engaged in prohibited personnel practices against career State Department employees, including by vetting career officials to determine whether they are sufficiently loyal to President Trump.

The Committee will continue its oversight of the Secret Service's efforts to reduce attrition and improve morale, especially in anticipation of the highly demanding 2020 presidential campaign. The Committee will examine the President's and his family's frequent travel and any impact on the agency's ability to fulfill its critical mission.

#### CRIMINAL JUSTICE REFORM

The United States has the highest rate of incarceration of any nation on earth, and many observers have raised concerns about bias and unequal treatment throughout our nation's criminal justice system. Although Congress passed, and President Trump signed into law, limited reforms to federal sentencing laws last year, more remains to be done to improve the criminal justice system while continuing to prevent and deter crime.

The Committee intends to conduct oversight of the federal departments and agencies responsible for administering the criminal justice system and to explore policy solutions at the federal, state, and local levels to address bias, eliminate excessive sentencing, help incarcerated people transition back into society, and reduce recidivism.

The Committee will also continue to examine staffing, resources, and facilities management challenges at the Justice Department's Bureau of Prisons.

#### CENSUS

The Committee will conduct oversight of the Census Bureau and preparations for the Decennial Census in 2020. The Census is mandated by the Constitution and requires the Administration to count every person in the United States. Due to the complexity and importance of the Census, robust oversight is critical to ensure that the Census Bureau is ready and able to conduct an accurate and fair count. The Committee will examine Census planning, preparations, and readiness; technology and cybersecurity; communications; and other issues.

The Committee will also examine the Trump Administration's efforts to add a citizenship question to the Census after the deadline to notify of Congress of new census topics. The Committee will examine inaccurate testimony to Congress by multiple Trump Administration officials regarding the origination and the purported need for the citizenship question.

#### POSTAL SERVICE

The Committee will oversee the operations of the United States Postal Service, over which the Committee exercises legislative and oversight jurisdiction. The Postal Service is an essential public institution that connects every family, business, and community in this nation by providing service to more than 157 million delivery points across the United States. The Committee will examine the urgent need for comprehensive reform legislation that can address the Postal Service's deepening financial challenges while guaranteeing universal service.

In addition, following an individual's attempt last year to send more than a dozen explosive devices through the U.S. mail to elected officials and media organizations, the Committee will conduct oversight of efforts by the Postal Service to protect its customers and prevent the shipment of explosives and other dangerous items.

#### CYBERSECURITY AND PRIVACY

The Committee will continue its oversight of the Federal Information Security Management Act of 2002 (FISMA), which requires federal agencies to implement a number of security controls on their information systems. The Committee will examine compliance with FISMA throughout the Executive Branch.

The Committee will conduct oversight of the increasing number of cyberattacks affecting federal agencies and the private sector, including companies in the retail, financial services, healthcare, and technology sectors. In recent years, millions of Americans have had their privacy compromised and personal data exposed due to data breaches. The Committee intends to explore ways to ensure that agencies and corporate entities take appropriate steps to protect American consumers' privacy and their personal information.

The Committee will also continue its oversight of government-wide cybersecurity tools and support provided to federal agencies by the administration, including but not limited to the Continuous Diagnostics and Mitigation (CDM) program. The Committee will examine whether existing cybersecurity programs are adequately protecting federal networks from cyber threats.

#### CONSUMER PROTECTION

Federal consumer watchdogs, including the Consumer Financial Protection Bureau, the Federal Trade Commission, and other agencies, work to stop unfair and deceptive business practices related to credit cards, student loans, mortgages, and other services and products. The Committee intends to conduct oversight to ensure these agencies are meeting their statutory responsibilities to protect consumers.

The Committee intends to conduct oversight of the management of the Department of Housing and Urban Development, including examining the Department's rollback of regulations intended to combat housing discrimination.

#### STUDENT LOANS AND FOR-PROFIT COLLEGES

Nearly 43 million Americans are paying off student loans, with approximately \$1.4 trillion in student debt outstanding.<sup>15</sup> The Committee plans to examine the Department of Education's oversight of the student loan and for-profit college industries.

#### TITLE IX AND CAMPUS SEXUAL ASSAULT

The Committee intends to conduct oversight of the Department of Education's enforcement of Title IX of the Education Amendments Act of 1972, which protects people from sex discrimination in federally-funded education programs. One area of focus will be the Department's proposed regulation related to campus sexual harassment and sexual assault.

#### GOVERNMENT CONTRACTING

The federal government buys a wide variety of goods and services, from sophisticated weapons systems to cybersecurity tools and services. The Committee will investigate waste, fraud, abuse, and mismanagement and conduct oversight of recent acquisition reforms, including on-line procurement. The Committee will conduct oversight of agency contracting, especially those agencies identified by GAO as "high risks," to ensure there is appropriate management of taxpayer funds and agencies are effectively using acquisition strategies to achieve policy goals. The Committee will examine how to lower the barriers to entry for small and disadvantaged businesses.

#### Subcommittee on National Security

The Subcommittee on National Security intends to conduct robust oversight of national security and foreign affairs policies, including but not limited to:

- U.S. military, intelligence, and counterterrorism strategies and operations in Afghanistan, Syria, Iraq, Sub-Saharan Africa, and other conflict areas;
- U.S. national security and defense strategies and foreign policy regarding Russia, China, North Korea, Iran, Pakistan, Saudi Arabia, Yemen, Venezuela, and other countries critical to U.S. national security priorities;
- U.S. reconstruction activities in Afghanistan and Iraq;
- The preparedness of the diplomatic corps to represent U.S. interests abroad, and oversight of how the Defense Department and State Department protect embassy construction personnel and property, including an update on U.S. Embassy construction efforts;

<sup>15</sup> Congressional Research Service, *A Snapshot of Federal Student Loan Debt* (Feb.4, 2019).



- The role of the U.S. Agency for International Development and United Nations Peacekeeping operations in the U.S. national security framework;
- State-sponsored and terrorist cyber threats to national security;
- Homeland security policies, including immigration, efforts to prevent human and drug trafficking, and how federal agencies address the national security threat posed by transnational criminal organizations and drug cartels;
- Efforts of the federal government to promote human rights and protect religious freedom throughout the world;
- The efforts of the Defense Department and State Department to return U.S. servicemember remains from North Korea and elsewhere;
- The treatment of veterans, including oversight of how the Defense Department and VA address suicides by active-duty, reservists, and veterans; and
- Federal acquisition policy related to national security.

The Subcommittee will conduct oversight of the Department of Defense, Department of State, Department of Homeland Security, Department of Veterans Affairs, Intelligence Community, U.S. Mission to the United Nations, U.S. Agency for International Development, and other entities within its jurisdiction.

#### Subcommittee on Government Operations

The Subcommittee on Government Operations intends to conduct robust oversight of many aspects of the Executive Branch, including but not limited to:

- Federal information technology and cybersecurity policy, including compliance with the requirements of the Federal Information Technology Acquisition Reform Act and the Federal Information Security Management Act;
- Agency compliance with and enforcement of federal labor law;
- The transparency of the Administration's reorganization plans and their effects on the missions of federal agencies;
- Protections for whistleblowers and the performance of the Merit Systems Protection Board and the Office of Special Counsel;
- The financial management and reform of the U.S. Postal Service;
- The safety, infrastructure, finances and performance of the Washington Metropolitan Area Transit Authority;
- Intergovernmental affairs, including state and local governments; and
- The management and procurement of federal property.

The Subcommittee will conduct oversight of the Office of Personnel Management, the Office of Management and Budget, the General Services Administration, and other entities within its jurisdiction.

### Subcommittee on Economic and Consumer Policy

The Subcommittee on Economic and Consumer Policy intends to conduct robust oversight of the role that public policy plays in the lives of the American people, including but not limited to:

- Free market and commerce regulations that impact Americans' safety and well-being;
- The causes of income inequality and the policies required to promote the growth and prosperity of the middle class;
- Consumer protection in the areas of finance, education, housing, and telecommunications, among others;
- The economic and social impact of federal policies relating to labor, intellectual property, taxes, trade, small business and investor protections;
- Cybersecurity and digital privacy in the private sector; and
- Federal acquisition policy unrelated to national security and information technology.

The Subcommittee will conduct oversight of the Department of the Treasury, Department of Education, Small Business Administration, Department of Labor, Consumer Financial Protection Bureau, Department of Health and Human Services, and other entities within its jurisdiction.

### Subcommittee on Environment

The Subcommittee on Environment intends to conduct robust oversight of our nation's environmental protection policies, with a focus on climate change and its growing threat to our society, actions to promote the development of sustainable energy, and market conditions to promote robust competition in the energy sector, including but not limited to:

- Regulatory reform efforts by federal agencies and their impacts;
- Examining current challenges and potential solutions regarding the storage of nuclear waste;
- Examining the federal government's preparation for, and response to, natural disasters, particularly as it relates to federal agencies serving all citizens in U.S. jurisdictions;
- Requiring transparency in the Executive Branch in relation to its actions and policy-making processes;
- Examining the Executive Branch's effectiveness in addressing climate change and its impacts;
- Exploring the Executive Branch's role in global climate change mitigation efforts and examining the decision-making processes related to international agreements;
- Examining the practices of the private sector in addressing the anthropogenic causes of climate change as well as mitigating its current and future effects;
- Examining the public health implications of government actions and policies; and
- Exploring opportunities for government agencies and the private sector to develop alternative energy sources.

The Subcommittee will conduct oversight of the Environmental Protection Agency, Department of the Interior, Department of Energy, and other entities within its jurisdiction.

### Subcommittee on Civil Rights and Civil Liberties

The Subcommittee on Civil Rights and Civil Liberties intends to conduct robust oversight of the enforcement of civil rights and civil liberties, including but not limited to:

- Recent efforts to suppress voting;
- The status of freedom of religion, speech, press, and assembly;
- The status of Equal Protection and respect for equal rights throughout government and society;
- Respect for due process in the immigration system and the treatment of undocumented immigrants and refugee asylum seekers and their families;
- The enforcement of laws ensuring equal employment and the use of non-disclosure agreements in employment and other contexts;
- Criminal justice reform policies; and
- The Census.

The Subcommittee will conduct oversight of the Census Bureau, Department of Justice, Equal Employment Opportunity Commission, federal and state voting authorities, and other entities within its jurisdiction.

**REPUBLICAN VIEWS**  
**Committee on Oversight and Reform**  
**U.S. House of Representatives**  
**116th Congress Oversight Plan**

The Republican Members of the House Committee on Oversight and Reform intend to conduct objective, fact-based oversight of the Executive Branch. The Members will continue to work closely with the Government Accountability Office, the community of Inspectors General (IG), good-government groups, whistleblowers, and others to improve the efficiency and transparency of the federal government. While the Democrat majority seems intent on investigating the Trump Administration for partisan gain, the Republican Members will conduct responsible oversight to make the federal government more effective and more accountable to the American people.

**DEPARTMENT OF JUSTICE ABUSES**

The Republican Members will continue their oversight into wrongdoing at the Department of Justice (DOJ) and Federal Bureau of Investigation (FBI). In the 115th Congress, the Committee began a wide-ranging investigation into actions taken by the DOJ and FBI in 2016 and 2017. The Members will continue to examine the conduct of the DOJ and FBI personnel in departing from the norms of impartial justice and fairness, the political bias of DOJ and FBI personnel, departures from traditional investigative and prosecutorial practices, and insufficient adherence to the Foreign Intelligence Surveillance Act.

In addition, the Republican Members will examine reports that Deputy Attorney General Rod Rosenstein discussed removing the President from power and recording his conversations with the President. The Members will seek Deputy Attorney General Rosenstein's testimony about these allegations at a public hearing.

**OBAMACARE AND HEALTH CARE REFORM**

The Republican Members will continue to examine the consequences of Obamacare to America's healthcare system. The Members will seek to bring transparency to the federal government's increased role in health care markets, with an emphasis on assessing Obamacare's effect on consumer choice and insurance premiums.

The Members will continue to examine efforts by the Centers for Medicare and Medicaid Services to reduce waste, fraud, and abuse in the Medicaid program. The GAO has consistently classified Medicaid as a "high risk" program due to its increasing size and expense, stressing the need for enhanced oversight and data quality.

The Members will also assess the incentives created by the Affordable Care Act's Medicaid expansion for states to obtain more federal funding by artificially changing their state share.

The Republican Members will also examine the opioid crisis, its effects on states and localities, and how the federal government can best assist state and local jurisdictions. The Members will review the ongoing multi-district opioid litigation, in which trial lawyers are aggressively targeting pharmaceutical companies in the hopes of a multi-billion-dollar settlement.

The Republican Members will also conduct oversight of the Food and Drug Administration's implementation of Right to Try and its enforcement actions relating to e-cigarettes.

#### BORDER SECURITY AND IMMIGRATION ENFORCEMENT

The Republican Members will continue to oversee the Executive Branch's enforcement of border security and immigration laws. The Southern border should be secured, and the issues of illegal entry and crime should be addressed. The Members will assess the laws, regulations, and policies that incentivize caravans of migrants from Central America to make the long and dangerous journey to our Southern Border. The Members will examine how violent transnational criminal organizations exploit loopholes in our immigration laws for drug smuggling and human trafficking. Finally, the Republican Members will conduct oversight of the 1997 Flores Settlement Agreement.

#### FREEDOM OF SPEECH AND FREEDOM OF ASSOCIATION

The Republican Members will continue to conduct oversight of attempts to restrict Americans' freedoms of speech and assembly by compelling the disclosure of the organizations to which they donate. In *NAACP v. Alabama* the Supreme Court explained that "[i]nviolability of privacy in group association may in many circumstances be indispensable to preservation of freedom of association" and that there is "a vital relationship between freedom to associate and privacy in one's associations."<sup>16</sup> The Members will continue their oversight of the Internal Revenue Service's efforts to eliminate the proactive collection of sensitive donor information.

The Republican Members will also continue to conduct oversight of allegations that social media companies reduced the visibility of conservative social media accounts, effectively silencing those individuals' right to free speech.

#### REGULATORY REFORM

The Republican Members will continue to examine the effect of burdensome regulations on small businesses and job creators. According to one analysis, the growth of regulation since 1980 had resulted in a loss of \$4 trillion in potential gross domestic product for 2012.<sup>17</sup> The Members will assess the effects of the Trump Administration's attempts to eliminate overly burdensome, outdated, or du-

<sup>16</sup> *NAACP v. Alabama*, 357 U.S. 449, 462 (1958).

<sup>17</sup> BENTLEY COFFEY, PATRICK A. McLAUGHLIN, and PIETRO PERETTO, MERCATUS CENTER, GEORGE MASON UNIVERSITY, *THE CUMULATIVE COST OF REGULATIONS* 8 (2016), available at <https://www.mercatus.org/system/files/Coffey-Cumulative-Cost-Regs-v3.pdf>.

plicative regulations. The Members will also evaluate rulemakings to ensure that they do not exceed their statutory authority and adhere to the requirements specified in federal law. The Members will examine rulemaking practices that do not adhere to typical rulemaking requirements, such as the issuance of guidance documents, interim final rulemakings, and settlement agreements.

#### AN EFFECTIVE AND ACCOUNTABLE FEDERAL WORKFORCE

The Republican Members will continue to encourage a federal workforce that is efficient, effective, and accountable to the American taxpayers. The Members will assess the Administration's efforts to make federal workers more accountable for poor performance or misconduct, including sexual misconduct. The Members will assess the use of taxpayer-funded official time by federal workers, some of whom perform exclusively union business during work hours.

In addition, the Members will support the work of the Office of Special Counsel and will examine findings of systemic Hatch Act violations in the United States Postal Service. The Members will support the work of the IG community, and strive that IGs have the resources they need to carry out their duties responsibly.

#### 2020 DECENNIAL CENSUS

The cost of the decennial census is rising—the total cost for the 2000 census was \$9.4 billion; the total cost for the 2010 census was \$12.3 billion. The Census Bureau estimates a cost of more than \$15 billion for the 2020 Census.<sup>18</sup> The Republican Members will continue to monitor the development of the Census.

#### EDUCATION

The Republican Members will support oversight to improve educational opportunities for all Americans. For example, the D.C. Opportunity Scholarship Program is a successful program that is making a meaningful difference in the lives of D.C. families. The Members will examine school choice in the District of Columbia and its potential to improve educational opportunities for students nationwide.

#### CYBERSECURITY

The Republican Members will continue to examine implementation of federal laws to enhance cybersecurity at federal agencies, including the Federal Information Management Act of 2002 and the Federal Cybersecurity Enhancement Act of 2015. The Members will focus on the state of cybersecurity practices at federal agencies, as well as federal agencies' policies and regulations affecting cybersecurity technology.

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<sup>18</sup> 2020 Census Life-cycle Cost Estimate (Dec. 21, 2017).

# **COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY**

## **116th Congress Oversight Plan**

**U.S. House of Representatives**

**One Hundred Sixteenth Congress**

**Chairwoman Eddie Bernice Johnson**

**February 21, 2019**

### **OVERSIGHT AUTHORITY & OVERSIGHT THEMES**

The Committee on Science, Space, and Technology was first established as the Committee on Science and Astronautics on July 21, 1958 in a direct response to the Soviet Union's 1957 launch of Sputnik 1, the world's first satellite. The Science Committee was created to help the United States foster innovation and stay globally competitive in the science and technology domains. House Rule X, clause 1 (p) sets forth the legislative jurisdiction of the Committee. However, Rule X, clause 3 (k) grants the Committee "special oversight functions" that stretches beyond its legislative jurisdiction. As this clause sets out: "The Committee on Science, Space, and Technology shall review and study on a continuing basis laws, programs, and Government activities relating to nonmilitary research and development."<sup>19</sup> This provides the Committee with wide-ranging oversight authority over science and technology issues throughout the government.

Each of the Committee's five subcommittees, as well as the full Committee, engage in oversight work as authorized by House rules. These five subcommittees include the Subcommittee on Energy, Subcommittee on Environment, Subcommittee on Research and Technology, Subcommittee on Space and Aeronautics, and the Subcommittee on Investigations and Oversight. Because of its far-reaching oversight authority the Committee intends to investigate a wide-array of issues highlighted by Subcommittees listed below. Many of these topics may be investigated by one or more of the Committee's subcommittees or by the full Committee. Although each subcommittee engages in oversight efforts, many of the Committee's investigations are carried out by, or in coordination with, the Investigations & Oversight (I&O) Subcommittee.

New, unforeseen issues often emerge that drive Congressional investigations not previously planned or anticipated. The emergence of new oversight related issues may impact the Committee's over-

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<sup>19</sup>House Rule X, clause 3, (k)—attached as Appendix A.

sight agenda. However, thematically there are several general lines of inquiry that the Committee intends to focus its oversight resources on during the 116th Congress.

- **Scientific Integrity:** Ensure federal science activities, including environmental and climate sciences, are free from political or industry interference and undue influence.
- **Public Accountability:** Hold public officials accountable for proper, effective, and valid program management.
- **Safety & Security:** Consistently review science and technology activities that can have an impact on the safety and security of the American public and the nation.
- **Emerging Technology:** Examine potential safety, security, privacy, and other potential consequences of emerging technologies.

#### SUBCOMMITTEE ON INVESTIGATIONS & OVERSIGHT

*Whistleblowers.* The Committee maintains an open door policy for any whistleblower who would like to alert Congress to issues of waste, fraud, abuse, or mismanagement at agencies under the Committee's jurisdiction or within other activities within the Committee's broad oversight authority. The Committee takes confidentiality issues seriously and will help to protect the identity of any individual who approaches the Committee with issues of concern.

*GAO & OIGs.* The Committee will coordinate with the Government Accountability Office (GAO) and the various Offices of Inspectors General (OIGs) within agencies under the Committee's legislative jurisdiction to ensure Departments, programs, and agencies are being transparent and implementing GAO and OIG recommendations. The Committee will also utilize the resources of the GAO and IG community to steer them towards oversight issues of concern to the Committee. In addition, the Committee will ensure the IG offices within the agencies under the Committee's jurisdiction are being managed appropriately and effectively.

*Cybersecurity.* The Committee will continue its work to help ensure federal agencies are complying with adequate cybersecurity standards across the government. The Committee will also investigate reported breaches of government and private sector computer systems when they endanger the public's privacy, safety, or security. These oversight efforts will examine any shortcomings and determine how these might inform cybersecurity standards and best practices.

*Voting system design and integrity.* A multitude of election system vulnerabilities were made clear following the 2016 and 2018 elections. The diffuse and often outdated voting infrastructure within the United States creates many points of entry for potential bad actors and the opportunity for deficient software or insecure tools and technology to lead to problems in our election infrastructure. This is a critical area for enhanced bipartisan oversight and review of the cybersecurity standards used by voting system vendors and to explore methods to help make our election infrastructure more secure, robust, and resilient to potential software defects and intentional attack. The I&O Subcommittee will explore these issues jointly with the Subcommittee on Research and Technology.



*Identifying and mitigating influence operations.* The use of social media platforms for influence operations against the American public has become an area of intense interest. The Committee will examine what tools and technologies are being developed by the scientific and technical community to help identify these threats to mitigate their impact.

*Unauthorized use of private data.* The unauthorized use of private data for commercial or political purposes is a growing concern. The Committee will investigate such cases wherein public trust is breached, whether the perpetrator be a government or commercial entity and whether the intended use of the data is for financial, political, or other purposes. In an increasingly digital world, the Committee has a responsibility to expose Internet privacy failures and deliberate on potential solutions.

*Science integrity issues.* The Committee will examine scientific integrity issues throughout the federal government, including efforts to silence scientists and sideline specific scientific activities for political or other purposes whenever they occur.

*DHS S&T Directorate.* The Committee intends to reassert its oversight of the Department of Homeland Security's (DHS's) Science & Technology (S&T) Directorate in the 116th Congress. The S&T Directorate provides a vital function to help develop tools and technologies to keep America safe. The Committee will examine the S&T Directorate's programs and activities to ensure they are being managed efficiently and effectively.

*Protecting the public's health & safety.* The I&O Subcommittee will work in coordination with the Environment Subcommittee to try to ensure the public is being protected from the release of toxic chemicals and will work to ensure there is no undue influence over the Environmental Protection Agency (EPA) by the industries it is legally mandated to regulate.

#### SUBCOMMITTEE ON ENERGY

*ARPA-E.* The Committee will review the management of the U.S. Department of Energy's (DOE's) Advanced Research Projects Agency-Energy (ARPA-E), which the Trump Administration unsuccessfully proposed to terminate each of the past two years. ARPA-E is tasked with promoting and funding high-risk, high-reward research and development of advanced energy technologies. The Committee will ensure that the agency is being adequately supported and that its core mission is being pursued.

*Natural gas pipeline/storage safety.* The Committee is concerned about the state of natural gas storage sites around the country and the sufficiency of state and federal safety standards. The Pipeline and Hazardous Materials Safety Administration (PHMSA) appears to lack sufficient resources to effectively enforce existing standards. The Committee will continue its work with GAO to determine whether current standards and resources are sufficient to protect public health and safety, the environment, and our nation's energy infrastructure.

*Critical infrastructure and electricity grid security.* The Committee will continue to conduct oversight over the state of the nation's critical infrastructure to ensure that vulnerabilities to cyberattacks, physical attacks, and natural hazards are identified

and remedied to the extent possible, and to ensure the government has the capability to respond to such threats efficiently and effectively.

*Clean energy technologies in general.* The Committee will examine whether the Department's applied energy technology offices are supporting the full range of high value research, development, demonstration, and commercial application activities that the private sector is unable or unwilling to support on its own, rather than attempting to confine the Department's support to ill-defined "early-stage" or "basic" research areas. The Committee will also evaluate potentially transformational clean energy technologies that currently receive little to no federal funding.

*DOE Laboratory Complex.* The management, upkeep and security of the Department's aging facilities remains a continuing concern of the Committee. Efforts will continue to assure that the Department meets its responsibilities to control risks in and around these facilities.

*DOE Loan Programs Office.* The Committee will continue to provide oversight of the Department of Energy's Loan Programs Office, which the Trump Administration unsuccessfully proposed to terminate for the past two years, to ensure that the Office is diligently carrying out its statutory mission.

*Fusion research.* The Committee will provide oversight of the Department's fusion energy research activities to ensure that direction provided in the Department of Energy Research and Innovation Act, P.L. 115-246, is being faithfully executed, including the establishment of programs to advance inertial fusion for energy applications and to advance other innovative fusion energy concepts. In addition, the Committee will oversee the U.S. contribution to the ITER international fusion project to ensure that the Department is actually providing the resources that it has projected are required to minimize the project's schedule and total cost.

#### SUBCOMMITTEE ON ENVIRONMENT

*Scientific advisory boards.* The Environmental Protection Agency's mission to protect human health and the environment is dependent upon the integrity of the scientific advice it receives from its various advisory committees, including the Board of Scientific Counselors, the Clean Air Scientific Advisory Committee, and the Scientific Advisory Board. The Committee will examine appointments to these entities and any proposed restructuring thereof to ensure the Agency is utilizing appropriate and sound expertise that is not unduly influenced by the industries the EPA is entrusted to oversee in its rulemaking.

*Science Integrity Issues.* The Committee will continue to collect and examine allegations of intimidation of scientists in federal agencies or suppression or revisions of scientific findings because of political or other pressures.

*Censorship of climate science.* The Committee is concerned about the scrubbing of references to climate change—including information about federally funded climate science and climate change programs—from federal agency websites. This hinders the ability of the public and of state and local entities to access resources that keep them apprised of the state of climate science.

*Climate science.* The Committee will aggressively track emerging issues and scientific studies regarding global warming and climate science and eliciting thoughtful science-based discussions on potential solutions and remedies to reduce Greenhouse Gas Emissions. This includes the role of federally funded research and innovative technology demonstration and development related to cutting-edge mitigation and adaptation strategies.

*Extreme weather hazards.* The severity of storms, floods, fires, and hurricanes has increased tremendously over the past few years leaving a path of death and multi-billion dollar destruction in their wake. The Committee will examine various issues surrounding these extreme weather events, including the science behind these hazards and how climate change has increased the frequency and severity of these events, improvements to forecasting and warning, and proposed methods to reduce their impact.

*IRIS Program Oversight.* The Committee will continue its long-standing oversight of the EPA's Integrated Risk Information System (IRIS). IRIS develops critical toxicological assessments of environmental contaminants, providing the science that underpins regulations of toxic chemicals. Since a 2011 National Academies of Sciences (NAS) report on process issues at IRIS, the program has come a long way, and has received praise from NAS and EPA's Science Advisory Board (SAB) on its progress. The Committee is concerned that limited resources and political interference are restricting the IRIS program's productivity, and that critical assessments are being held up.

*Deregulatory actions at EPA.* The Trump administration has made deregulation a hallmark of its policy agenda across the federal government. At EPA, this has resulted in the rollback of many critical health-based regulations. The EPA's mandate is to protect human health and the environment. The Committee will examine whether the agency is following its mission statement in deregulating pollutants that by the EPA's own admission is endangering the health and safety of the public.

*Earth observations satellite oversight.* The Committee will continue to review the federal government's development, management, and operation of its earth observations satellites at both the National Oceanic and Atmospheric Administration (NOAA) and the National Aeronautics and Space Administration (NASA). These satellites provide critical data that feed into weather forecasting and climate models. The current and future planning of the satellite architecture is crucial to ensuring continuity of data collection.

*NOAA/NWS workforce issues.* The Committee has been concerned with workforce issues at NOAA and the National Weather Service (NWS), which the GAO is currently investigating. The Committee will continue to monitor these issues and work with the GAO to ensure workforce issues are handled effectively and efficiently in a manner that does not jeopardize the ability of NWS or NOAA to perform their crucial life-saving missions.

#### SUBCOMMITTEE ON SPACE AND AERONAUTICS

*Access to the International Space Station (ISS).* The Committee will conduct oversight into NASA's certification process with its commercial crew service providers to ensure U.S. access to the ISS

will continue safely and without a gap, as well as NASA's contingency plan should the availability of commercial crew services continue to be delayed.

*ISS research priorities.* The International Space Station, and its crew and facilities, are precious and limited resources and must be treated as such. The Committee will conduct oversight of the use of the ISS and the prioritization of ISS resources to meet and enable key objectives.

*Oversight of NASA's flagship missions.* The Committee will oversee the management of major flagship science mission development projects, including the James Webb Space Telescope, the Wide-field Infrared Survey Telescope, Mars2020, and the Europa Clipper spacecraft.

*NASA Earth Science programs.* NASA's Earth science programs offer valuable insights into Earth systems, climate change, severe weather, land change, and more. The Committee will conduct oversight of NASA's Earth science program and its plans for meeting the priorities set forth in the National Academies' Earth science decadal survey.

*Human spaceflight schedule pressure.* Following the Space Shuttle *Challenger* accident, it became clear that launch pressure can lead to catastrophic consequences. In all expeditions, but particularly human space flight, oversight must be conducted to ensure that safety remains the priority and that schedule pressures do not influence decisions that have implications for the overall safety of human spaceflight systems and operations.

*Lunar Campaign.* The beginning of this administration ushered in a pivot back to lunar expeditions. Proposed lunar missions could ostensibly contribute to the mission of getting humans to Mars. However, without clear objectives as part of a human exploration roadmap, significant investments in a lunar campaign could delay the U.S.'s ability to send humans to the surface of Mars by the 2030s. The Committee will examine proposed lunar missions and how they would contribute toward the ultimate goal of a human mission to Mars.

*Civil Aeronautics Research and Development.* The Committee will carry out oversight research and development activities at the Federal Aviation Administration (FAA) and NASA's aeronautics research, including the next generation air transportation system (NextGen), the integration of unmanned aviation systems into the national airspace system, research related to the safety of civil aviation and aeronautics, and efforts to mitigate the environmental impacts of civil aviation.

*FAA Commercial Space Transportation.* FAA's Office of Commercial Space Transportation (AST) licenses commercial launch and re-entry vehicles. In addition to its oversight of the FAA's AST, the Committee will examine the growing commercial launch industry, including the emerging commercial human space flight industry as well as the challenges facing it.

#### SUBCOMMITTEE ON RESEARCH & TECHNOLOGY

*Sexual harassment in the sciences.* The nation is reckoning with the pervasiveness of sexual harassment and its impact on the lives and careers of women. The academic workplace has the second-

highest rate of sexual harassment. This drives talented scientists out of the field, as perpetrators continue to hold high-status positions and receive federal grant money. The Committee will continue its bipartisan oversight of federal science agencies to ensure they have clear policies and are handling reports of sexual harassment effectively and efficiently.

*Academic espionage.* The Committee will continue to conduct bipartisan oversight into the coordination and collaboration between law enforcement, the intelligence community, and institutions of higher education regarding the exfiltration of sensitive, often government-funded research by nontraditional collectors. Following the February 2018 disbandment of the Federal Bureau of Investigation's (FBI's) National Security Higher Education Advisory Board (NSHEAB), no formal body exists to facilitate the communication of security risks and best practices to the higher education community. The Committee is interested in protecting the research that makes the United States a global science leader while respecting the international collaboration inherent to the research enterprise that often helps foster U.S. innovation.

*STEM Education.* The Committee will continue to review Science, Technology, Engineering, and Mathematics (STEM) education related subjects, particularly the need to increase the diversity of individuals who have access to STEM education. The Committee will examine the effectiveness of federal programs in improving the recruitment and retention of a diverse pool of individuals pursuing STEM-related degrees and careers.

*Arctic Research.* The Committee will examine the scientific issues related to the warming of the Arctic and the environmental, social, public health, and safety and security implications that represents for the United States and the world.

*Office of Science and Technology Policy (OSTP).* The Science Committee has been deeply concerned that the Trump Administration went without a Director of OSTP for two years. The Committee will ensure that OSTP is being managed effectively and is fulfilling its statutorily mandated responsibilities.

*Emerging technologies.* The Committee will examine emerging technologies, including autonomous vehicles, artificial intelligence (AI), commercial use of facial recognition technologies, deep fakes, medical devices, and gene editing. Each of these technologies has had high-profile media coverage of significant failures, misapplications, or other implementation issues that should be investigated as the technologies evolve faster than the technical and cybersecurity standards or policy can keep up. Emerging technologies may affect the safety, security and privacy of all Americans and individuals around the world. The Committee intends to examine the potential unintended social, public health, economic, security, and other consequences of emerging technologies.

*Appendix A***HOUSE RULE X**

## ORGANIZATION OF COMMITTEES

*Committees and their legislative jurisdictions*

1. There shall be in the House the following standing committees, each of which shall have the jurisdiction and related functions assigned by this clause and clauses 2, 3, and 4. All bills, resolutions, and other matters relating to subjects within the jurisdiction of the standing committees listed in this clause shall be referred to those committees, in accordance with clause 2 of rule XII, as follows:

(p) Committee on Science, Space, and Technology.

(1) All energy research, development, and demonstration, and projects therefor, and all federally owned or operated nonmilitary energy laboratories.

(2) Astronautical research and development, including resources, personnel, equipment, and facilities.

(3) Civil aviation research and development.

(4) Environmental research and development.

(5) Marine research.

(6) Commercial application of energy technology.

(7) National Institute of Standards and Technology, standardization of weights and measures, and the metric system.

(8) National Aeronautics and Space Administration.

(9) National Space Council.

(10) National Science Foundation.

(11) National Weather Service.

(12) Outer space, including exploration and control thereof.

(13) Science scholarships.

(14) Scientific research, development, and demonstration, and projects therefor.

*Special oversight functions*

3(k) The Committee on Science, Space, and Technology shall review and study on a continuing basis laws, programs, and Government activities relating to nonmilitary research and development.

## **COMMITTEE ON SMALL BUSINESS**

### **Oversight Plan of the Committee on Small Business for the One Hundred Sixteenth Congress**

Ms. Velázquez, from the Committee on Small Business, submitted to the Committee on Oversight and Reform and the Committee on House Administration the following

#### **REPORT**

Rule X, cl. 2(d)(1) of the Rules of the House requires each standing Committee to adopt an oversight plan for the two-year period of the Congress and to submit the plan to the Committees on Oversight and Reform and House Administration not later than March 1 of the first session of the Congress. Under Rule X, the Committee has oversight authority to investigate and examine any matter affecting small business. This Report reflects that broad oversight jurisdiction.

#### **OVERSIGHT OF FEDERAL CAPITAL ACCESS PROGRAMS**

The Committee will conduct hearings and investigations into Small Business Administration (SBA) and other federal agencies that provide capital to America's entrepreneurs that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- Effectiveness of the capital access programs to generate jobs in the fastest growing small businesses.
- Whether lenders are meeting their goals to lend to small businesses and create jobs.
- Adequacy of SBA oversight of its lending partners to ensure that federal taxpayers are properly protected.
- Capabilities of the SBA information technology to manage the loan portfolio.
- Whether SBA rules, regulations, and guidance result in transparent and reasoned decision making with respect to capital access programs.
- Assessment of credit-scoring algorithms as a replacement for individual credit assessment by SBA and its lending partners.
- The exercise of discretion by SBA to create pilot programs and the risk they pose to the taxpayer and whether such authority should be curtailed or eliminated.
- Whether SBA disaster loan program and its oversight ensures that small businesses are able to revive and rebuild communities.

- Review the recent change by SBA for fee waivers and the impact moving from a dollar limitation to a geographic determination will have on small businesses.
- Efficacy and duplication of federal capital access programs offered by the Department of Agriculture to small businesses in rural areas.
- Utilization by small businesses of export capital programs at the Export-Import Bank and the Overseas Private Investment Corporation.
- Study the need to enhance the 7(a) and Certified Development Company programs so that they are more effective in reaching borrowers unable to secure conventional loans.
- Analyze the Microloan program with the intent of making it more affordable for borrowers and reducing barriers to its growth.
- Examine methods to enhance equity financing to meet the needs of small business borrowers wherein debt financing is not appropriate and how SBA programs may be used to increase equity financing.
- Continued examination of the Small Business Lending Fund and State Small Business Credit Initiative established by Pub. L. No. 111–240, the Small Business Jobs Act of 2010, in creating jobs and providing capital to small businesses.
- Implementation of crowdfunding and other provisions of the Jumpstart Our Business Startups Act, Pub. L. No. 112–106.
- Continued oversight and analysis of the role that the SBA secondary market plays in small business finance and the effectiveness of changes made by SBA to the pooling program established in the Federal Register Notice of October 16, 2017.
- Review and oversight into the Master Reserve Fund at SBA.
- Implementation of program clarifications made to encourage more cooperative and employee stock ownership plan lending through SBA programs established by the Main Street Employee Ownership Act of 2018, passed into law by the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115–232.
- Implementation of changes made to increase oversight of the 7(a) loan program established by Pub. L. No. 115–189, the Small Business 7(a) Lending Oversight Reform Act of 2018.
- Examination of the Express Bridge Loan Pilot Program for disaster recovery lending for small businesses and its performance after recent disasters, such as Hurricanes Harvey, Irma, and Maria and numerous wildfires.
- Investigate franchising contracts to learn how SBA loans are being utilized, default rates, and whether small business owners are being harmed in case improvements in the SBA franchise directory can be made.
- The effectiveness of SBA in minimizing risk to the taxpayer in the SBA capital access programs.

In performing oversight, the Committee will focus on particularly risky aspects of financial assistance programs including, but not limited to, commercial real estate refinancing, premier certified



lenders, participating security small business investment companies, small business lending companies, express lenders, and loan programs utilizing simplified lending applications.

#### OVERSIGHT OF SBA AND OTHER FEDERAL ENTREPRENEURIAL DEVELOPMENT PROGRAMS

The Committee will conduct hearings and investigations into the SBA programs that provide training and advice to small businesses that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- Examining effectiveness of SBA entrepreneurial development programs in creating jobs at startups and traditional firms.
- Suggesting methods for enhancing coordination among federal agencies in aiding entrepreneurs, including, but not limited to, businesses located in underserved areas, such as rural and low-income communities and those seeking to provide goods and services in the federal procurement marketplace.
- Enhancing the efficacy and utilization of the Manufacturing Extension Partnership at the Department of Commerce, including developments in renewable energy.

#### OVERSIGHT OF FEDERAL GOVERNMENT CONTRACTING MATTERS

The Committee will conduct hearings and investigations into the federal procurement system that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- Whether fraud or other problems exist in the federal government contracting programs overseen by the SBA including the 8(a), HUBZone, service-disabled veteran, women-owned contracting, and Small Business Innovation Research programs.
- Effectiveness of SBA contracting programs to increase participation by small businesses in federal procurement.
- Effectiveness of federal agency protections against contract bundling and consolidation.
- The accuracy and utility of SBA size standards and federal procurement databases.
- Operation and effectiveness of federal agency assistance provided to small businesses interested in federal procurement, including that provided by the SBA, Offices of Small and Disadvantaged Business Utilization and Procurement Technical Assistance Centers.
- Development of federal acquisition policies and whether small businesses have sufficiently effective voice in development of such policies.
- Cost-effectiveness of outsourcing government work to private enterprise rather than expanding the government to do provide the good or service internally (i.e., government insourcing).
- Implementation and efficacy of changes made in small business federal procurement programs arising from the enact-

ment of the National Defense Authorization Acts for FYs 2012–2019.

- Examination of the Small Business Innovation Research Program as modified by the National Defense Authorization Act for FY 2012, Pub. L. No. 112–81, including, but not limited to, increased efforts at commercializing federally-funded technology.

- Implementation and efficacy of changes made to the Small Business Innovation Research Program arising from the enactment of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub.L. No. 115–232.

- Implementation and efficacy of changes made to the HUBZone program arising from the enactment of the National Defense Authorization Act for Fiscal Year 2018, Pub.L. No. 115–91.

In performing oversight, the Committee will focus its efforts on uncovering abuse and misuse of the small business designation to obtain federal government contracts.

#### OVERSIGHT OF SBA MANAGEMENT

The Committee will conduct the hearings and investigations into the management of the SBA that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- The appropriate mission of the SBA.
- Whether agency employees in the field are empowered to assist small businesses.
- Duplication of offices and missions at SBA headquarters.
- Effectiveness of personnel management to ensure that employees are rewarded for assisting small businesses.
- Capabilities of SBA employees to provide proper assistance to small business owners.
- Review the agency’s cooperative agreements, partnerships and co-sponsorships.
- Continue to assess the adequacy of the agency’s budgetary requests, financial management, and reporting goals.
- Agency personnel capabilities to properly manage loan defaults to maximize recovery of collateral.
- Whether SBA improperly utilizes statutory authority to create untested initiatives and the procedures by which the agency develops such programs.

In carrying out this oversight, the Committee will focus particularly on streamlining and reorganizing of the agency’s operations to provide maximum assistance to small business owners. Offices that primarily provide assistance or advice to headquarters staff that do not promote the interests of small businesses or protect the federal government as a guarantor of loans will be recommended for cuts or elimination.

#### OVERSIGHT OF FEDERAL REGULATORY AND PAPERWORK BURDENS

The Committee will conduct hearings and investigations into burdensome federal rules, reporting and recordkeeping requirements affecting small businesses that may include any or all of the

following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- Identify specific rules and regulations already issued or at the proposed rule stage to assess the impact on small businesses.
- Examine agency compliance with the Regulatory Flexibility Act and Paperwork Reduction Act.
- Oversee, to the extent relevant, the work of the Office of Information and Regulatory Affairs at the Office of Management and Budget and the Chief Counsel for Advocacy at the Small Business Administration to ensure that they are fulfilling their mission to advocate vigorously on behalf of America's small business owners in regulatory matters at federal agencies.
- Identify regulations that impose unnecessary barriers to competitive market entry by small businesses and place small businesses at a competitive disadvantage with respect to larger competitors.
- Identify regulations that fail to minimize recordkeeping and reporting requirements, including the elimination of duplicative requirements as required by the Paperwork Reduction Act.
- Assess whether small businesses are provided sufficient compliance assistance, including small entity compliance guides issued by agencies as mandated by the Small Business Regulatory Enforcement Fairness Act.
- Evaluate the need to amend and further strengthen the Regulatory Flexibility Act and the Paperwork Reduction Act to improve agency compliance with the laws and ensure that small businesses are not unnecessarily burdened by regulations.

#### OVERSIGHT OF FEDERAL TAX POLICY

The Committee will conduct hearings and investigations into the federal tax code, its impact on small business, and Internal Revenue Service's (IRS) collection of taxes that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- Identification of tax code provisions and proposed rules that hinder the ability of small businesses to create jobs and recommendations for modifying those provisions to boost small business job growth.
- Examination of the structure of the tax code in order to simplify compliance for small businesses.
- Assessment of the recordkeeping and reporting requirements associated with tax compliance and suggestions for reducing such burdens on small businesses.
- Impact of the tax reform law, Pub. L. No. 115-97, on small business tax liabilities and compliance and its harm to economic growth and job creation.
- Efficiencies at the IRS that improve the interaction between the government and small business owners.
- Inefficiencies at the IRS that force small businesses to divert capital from job growth to tax compliance.

- Investigate incentives that may be used to support the growth of the micro-entrepreneur.
- Analyze tax code restructuring to enhance the ability of small businesses to offer retirement benefits through lowering their costs.

#### OVERSIGHT OF HEALTH CARE POLICY

The Committee will conduct hearings and investigations into federal health care policy (such as Medicare and Medicaid), as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- The availability of health insurance in the federal marketplaces established by the Patient Protection and Affordable Care Act.
- Implementation and efficacy of changes made to health care policy through various laws enacted throughout the 115th Congress, including but not limited to the tax reform law, Pub. L. No. 115–97.
- The impact of the Patient Protection and Affordable Care Act, Medicare and Medicaid on the ability of physicians, pharmacists, and allied health care providers to offer the best care possible to patients.
- Examination of increases in efficiencies that will improve the provision of health care while reducing costs to small businesses that offer their workers' health insurance.

#### OVERSIGHT OF ENERGY POLICY

The Committee will conduct hearings and investigations into energy policy to reduce the cost of energy and increase renewable energy that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- Innovations developed by small businesses that create greater reliance on renewable energy.
- Federal regulatory policies that increase dependence on renewable energy and decrease energy costs.
- Policies needed to incentivize production of renewable energy in the United States.
- Examination of commercialization of research in renewable energy.
- Federal regulations or policies that affect energy costs for small businesses.
- Investigate methods to increase energy efficiency and improve resource conservation practices for small businesses.
- Federal initiatives to streamline business operations and reduce energy costs for small firms.

The primary thrust of the Committee's efforts will focus on efforts to use the innovation of America's entrepreneurs to fuel the drive for greater energy independence, including the development of renewable energy products.

## OVERSIGHT OF TRADE AND INTELLECTUAL PROPERTY POLICY

The Committee will conduct hearings and investigations into international trade and intellectual property policies of America and its trading partners that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- Impact of free trade agreements to increase exports by American small businesses.
- Oversight of SBA's Office of International Trade and the agency's efforts to promote small business exports.
- Examination of the impact of illicit actions by foreign entities on small businesses and whether the federal government is doing enough to protect their interests.
- Whether the federal government is doing enough to protect the intellectual property rights of small businesses by foreign competitors.
- The impact of federal intellectual property policies, particularly patents and copyrights, to protect the innovations of American entrepreneurs.
- Efforts to increase exports by small businesses.
- Whether the United States Trade Representative and Department of Commerce sufficiently protect the interests of small businesses in the negotiation of free trade agreements.
- Whether the United States Trade Representative takes positions at the World Trade Organization that sufficiently promote the interests of American small businesses.
- Measure the performance of federal trade programs, which seek to reduce small firms' costs of expanding into international markets, including those administered by the SBA, Departments of Commerce and Agriculture, the Export-Import Bank, and the Overseas Private Investment Corporation.
- Evaluate the implementation of the National Export Promotion Strategy, particularly its focus on small businesses.
- Examine efforts methods to increase the representation of small business interests in the negotiation of new trade agreements and enforcement of existing agreements and treaties.
- Evaluate the availability and quality of data measuring the contributions to the nation's trade performance by small businesses, including information gathered by the Department of Commerce and the United States Trade Representative.
- Assess current trade duties and tariffs, both domestic and foreign, to evaluate their impact on American small businesses, economic growth, and job creation.
- Conduct analysis on the importance of intellectual property rights to underserved entrepreneurs and how best to increase their representation of such rights.

## OVERSIGHT OF AGRICULTURE POLICY

The Committee will conduct hearings and investigations into agriculture policies that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- Examine the impact of federal policies on family farms, ranchers, and rural small businesses, including changes made by the 2018 Farm Bill.
- Evaluate the impact of access to capital issues facing rural areas, farmers and agribusinesses.
- Analyze the extent to which SBA programs and United States Department of Agriculture programs overlap and how they can better coordinate to provide better services and streamlines assistance to the agriculture community.
- Oversee federal activities to spur economic development in rural communities.
- Examine ways in which the federal government can enhance the use of next-generation technologies in small agriculture businesses.

#### OVERSIGHT OF TECHNOLOGY AND INNOVATION POLICY

The Committee will conduct hearings and investigations into technology and telecommunications policies that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- Examine the impact of federal policies on broadband deployment, particularly in underserved areas.
- Investigate the economic benefits of increasing the speed of broadband and proposals for funding the Universal Service Fund.
- Examine the cost and benefits of proposed reforms to the United States patent system and their impact on small innovators.
- Evaluate the need to increase IP education and services to underserved innovators.
- Monitor efforts to assist small businesses in cybersecurity hygiene and evaluate the role the SBA has in the process to collect and disseminate information and educate small businesses.
- Assess the current government-wide initiative to ensure small technology firms have adequate contracting opportunities while also protecting government systems through rigorous cybersecurity requirements.
- Examine ways in which the federal government can enhance the use of next-generation technologies in small agriculture businesses.

#### OVERSIGHT OF VETERANS' ENTREPRENEURSHIP POLICY

The Committee will conduct hearings and investigations into veterans' policies that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- Examine how current entrepreneurial and capital assistance programs are accommodating the growing veteran population.
- Review federal actions to assist veteran entrepreneurs and ensure they are consistent with federal small business policy.
- Evaluate the effectiveness of federal programs that seek to improve veterans' access to markets and training by imple-

menting and monitoring enhanced programmatic data collection.

- Assess whether the federal government is sufficiently coordinating activities and allocating resources appropriately with regard to veteran entrepreneurship activities and initiatives.
- Monitor the transition of federal entrepreneurial programs from the Department of Veterans' Affairs to the SBA.

#### OVERSIGHT OF LABOR AND WORKFORCE POLICY

The Committee will conduct hearings and investigations into labor and workforce policies that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- Review federal actions to assist employers in workforce training and analyze ways to meet the growing need for more skilled workers.
- Study the effectiveness of efforts to encourage more underserved workers to enter fields where skilled labor is needed.
- Evaluate the role immigration policy plays in assisting small businesses meet their workforce needs and whether the existing visa system should be reformed.
- Investigate policies to encourage more participation in labor market through initiatives that can be offered by small businesses, such as increased minimum wages, paid sick leave, paid parental leave, and flexible work arrangements.
- Study the role student loan debt plays in entrepreneurship and methods to address the crisis.





# **COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE**

## **OVERSIGHT PLAN**

### **COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE 116th CONGRESS**

In accordance with Rule X of the House of Representatives, the Committee on Transportation and Infrastructure is responsible for determining whether laws and programs within its jurisdiction are being implemented according to Congressional intent and whether they should be continued, changed, or eliminated. In the 116th Congress, the Committee will review the activities of government agencies and entities within its jurisdiction and the public and private interests they affect or regulate. As appropriate, the Committee will investigate options to improve the overall performance and operation of the agencies and entities it oversees, promote reform and cost savings, and eliminate fraud, wasteful spending, abuse and mismanagement where possible. The Committee will also evaluate the administration's yearly budget requests with respect to programs and activities within the Committee's jurisdiction. In all of its oversight activities, the Committee will be guided by reference to the public interest and will ensure that the agencies under its jurisdiction remain accountable to the people of the United States.

The oversight and investigation functions are vested at the Full Committee level. Oversight and investigation activities will be coordinated between the Full Committee and the Subcommittees. This structure will facilitate oversight of issues that cut across the jurisdiction of several Subcommittees. The Committee will continue to exercise its oversight duties through its own staff, as well as through work performed at the Committee's request by the Government Accountability Office (GAO) and the various Inspectors General (IG) within their respective agencies and departments. Oversight activities will include hearings, briefings, correspondence, reports, media releases, and public statements.

The GAO provides Congress a biennial update on high-risk programs, which are Federal programs and operations that the GAO considers to be at high risk for waste, fraud, abuse, mismanagement, or in need of broad reform. Consistent with the Rules of the House of Representatives, the Committee will hold hearings on the programs within the Committee's jurisdiction on GAO's "high-risk" list. The rules also require the Committee to hold at least one hearing every 120 days on "waste, fraud, abuse, or mismanagement in Government programs which that committee may authorize." These hearings will focus on "the most egregious instances of

waste, fraud, abuse, or mismanagement,” as documented by any report that the Committee has received from an IG or GAO. Finally, the Committee will hold hearings if any agency has received disclaimers on its agency financial statements.

#### SUBCOMMITTEE ON AVIATION

*1. Implementation of the FAA Reauthorization Act of 2018.* The FAA Reauthorization Act of 2018 (P.L. 115–254; FAARA) was signed into law on October 5, 2018. This Act authorizes funding for the Federal Aviation Administration (FAA) through fiscal year 2023, and contains numerous provisions to enhance aviation safety; strengthen consumer protections for airline passengers; support U.S. aviation manufacturing; improve airport infrastructure; increase and develop the U.S. aviation workforce; and advance the safe and efficient integration of unmanned aircraft systems (UAS) into the National Airspace System, among other things. The Subcommittee will closely oversee the efforts of the FAA and the DOT to implement the provisions of FAARA.

*2. Implementation of the FAA Extension, Safety, and Security Act of 2016.* The FAA Extension, Safety, and Security Act of 2016 (P.L. 114–190) was signed into law on July 15, 2016. This short-term extension of FAA programs contained a number of safety-critical and time-sensitive reforms, several of which the FAA has yet to implement. The Subcommittee will continue to closely oversee the FAA’s efforts to implement the remaining mandates contained in the Act.

*3. Implementation of the FAA Modernization and Reform Act of 2012.* The FAA Modernization and Reform Act of 2012 (P.L. 112–95; FMRA) was signed into law on February 14, 2012. This Act reformed and revised FAA safety programs, air traffic control modernization efforts, and operations of the FAA. The Subcommittee will continue to closely oversee the FAA’s efforts to implement the remaining mandates contained in the FMRA.

*4. Safety Programs.* During the last several Congresses, the Subcommittee held numerous safety hearings and will continue its oversight in the 116th Congress. Maintaining a safe and efficient aviation system is critical to the aviation industry, passengers, and the U.S. economy, including job creation and U.S. competitiveness in the global marketplace. Issues to be addressed include: commercial airline safety, general aviation safety, repair stations, the FAA’s drug and alcohol and medical testing programs, key safety agreements, the safe integration of UAS and urban air mobility concepts, commercial space transportation safety, pilot and controller training, airport and runway safety, losses of separation between aircraft, the FAA’s enforcement and certification activities, the transportation of hazardous materials and dangerous goods, and the FAA’s voluntary reporting and data-sharing and assessment programs.

*5. Investment in Aviation Infrastructure.* America’s airports are part of a global aviation system, and as such they must remain safe and efficient in order to compete as global hubs of air commerce. Over the next five years, the FAA estimates a need for \$35.1 billion in projects eligible for Airport Improvement Program (AIP) grants—an increase of seven percent (or \$2.4 billion) since the agency’s 2016 estimate. Congress has authorized \$3.35 billion

in annual AIP funding since fiscal year 2012. The FAARA extended that same authorization level through fiscal year 2023, meaning the program will not have received additional funding for 12 years. AIP grants meet approximately half of the FAA's identified airport development needs. The statutorily-authorized passenger facility charge (PFC) is a user fee that an airport sponsor, subject to FAA-approval, may choose to levy on most enplaned passengers. PFCs generated an additional \$3.28 billion for airport development in 2017. The PFC has been capped at \$4.50 per segment and \$18 per round trip since 2000. Given that airports have capital needs and debt servicing costs beyond those identified by the FAA, airports must supplement their AIP grants and PFC receipts through other sources of revenue or financing. The Subcommittee will conduct oversight regarding airport financing and the FAA's administration of the AIP, and will explore legislative options for increasing financial investment in U.S. airport infrastructure, including possible adjustments to the PFC.

*6. Airline Competition, Financial Position, and Customer Service.* The aviation marketplace has gone through many changes, including a period of consolidation resulting in the four largest U.S. carriers representing more than two-thirds of the total U.S. domestic market. The Office of the Secretary within the DOT is responsible for economic oversight of the airline industry, including ensuring that air carriers do not engage in unfair and deceptive practices and that certain business agreements among air carriers do not result in harmful effects. The Subcommittee will continue to examine opportunities to improve the airline industry's competitiveness, review recently established regulations to ensure the aviation system remains safe and accessible to the traveling public, and provide oversight of Congressionally-mandated consumer protections for airline passengers.

*7. U.S. Aviation Workforce.* The U.S. aviation industry has identified projected workforce shortages and experienced difficulties in recruiting the next generation of aviation workers, including pilots, flight attendants, maintenance technicians, and other aviation professions. To ensure the U.S. remains competitive globally, the Subcommittee will monitor the levels and anticipated levels of employment in the aviation sector and explore ways to encourage or facilitate the recruitment, development, maintenance, and diversification of the U.S. aviation workforce, while maintaining or improving aviation safety.

*8. Oversight of the Commercial Space Industry.* The mission of the FAA's Office of Commercial Space Transportation is to ensure protection of the public, property, and the national security and foreign policy interests of the U.S. during commercial launch or re-entry activities, and to encourage, facilitate, and promote U.S. commercial space transportation. The Subcommittee will continue to monitor the status and future of the U.S. commercial space transportation industry, efforts by the National Space Council to streamline and reform current commercial space regulations, and the role of the FAA in providing safety oversight of the industry.

*9. Evaluation of FAA's NextGen Air Traffic Control Modernization.* The FAA is working to modernize the air traffic control system through implementation of the Next Generation Air Transpor-

tation System (NextGen). NextGen is intended to increase airspace system efficiency; reduce noise exposure, emissions, and fuel burn; improve safety; increase accuracy and reliability in equipment and software used for navigation and air traffic control; and maintain the capacity for future technology enhancements. As the FAA works to implement NextGen, the Subcommittee will continue to closely monitor and examine the FAA's efforts to implement NextGen, including efforts to establish performance metrics, meet deadlines, stay within budget, ensure an appropriate level of aircraft equipage with NextGen avionics, and pursue solutions to identified challenges.

*10. Cybersecurity of the National Airspace System.* The FAA's modernization of air traffic control technology and the aviation industry's increasing use of innovative new technologies in its aircraft fleet necessitates robust aviation cybersecurity efforts. Ensuring the cybersecurity of aviation systems is of critical importance to the safety of aircraft. The FAA Extension, Safety, and Security Act of 2016 directed the FAA to implement a strategic framework for cybersecurity and the FAARA requires the FAA to review and assess, and update as appropriate, this strategic framework. The Subcommittee will continue its oversight of the cybersecurity activities of the FAA and other relevant stakeholders to ensure appropriate steps are being taken to address cyber-threats, to confirm the FAA's strategic framework for cybersecurity is effectively employed, and to ensure that the supremacy of the FAA in aviation safety matters is maintained.

*11. Oversight of Implementation and Deployment of Counter-UAS Authority.* Congress authorized the Department of Defense and Department of Energy to operate counter-UAS equipment to detect, interdict, or neutralize UAS that pose a threat to the safety or security of certain facilities and assets in the U.S. in the National Defense Authorization Act (NDAA) for Fiscal Year 2017 (P.L. 114–328) and the NDAA for Fiscal Year 2018 (P.L. 115–91). The FAARA granted similar authority to the Department of Justice, Department of Homeland Security, and U.S. Coast Guard to deploy counter-UAS equipment to protect critical assets and facilities within the agencies' purview. The introduction of systems originally designed for use in combat areas into the National Airspace System poses unique safety challenges, particularly in complex or crowded airspace. The Subcommittee will closely oversee the agencies' implementation of their respective counter-UAS authorities to ensure close and continued coordination with the FAA to reduce impacts on U.S. airspace and to ensure the safety of civil aviation.

*12. National Transportation Safety Board.* The FAARA also authorizes National Transportation Safety Board programs through fiscal year 2022. The bill includes, among other things, provisions aimed at improving transparency of the Board's investigations and enhancing public understanding of the Board's safety recommendations. The Subcommittee will closely oversee the Board's efforts to implement the provisions of the FAARA and evaluate whether the changes to the Board's programs and practices achieve their intended objectives.

## SUBCOMMITTEE ON COAST GUARD AND MARITIME TRANSPORTATION

*1. Maritime Budget Oversight.* The Subcommittee has broad authority over the programs and activities of the U.S. Coast Guard codified under titles 14 and 46 United States Code, and other statutes. The Frank LoBiondo Coast Guard Authorization Act of 2018 (P.L. 115–282) authorized discretionary Coast Guard funding levels of \$10.06 billion in fiscal year 2018 and \$10.64 billion in fiscal year 2019. For fiscal year 2019, funding for the Coast Guard Reserve and the Coast Guard’s environmental compliance and restoration activities were consolidated within the overall operations account to conform to the Department of Homeland Security (DHS) budget requirements.

The Subcommittee also has jurisdiction also over the Federal Maritime Commission (FMC) and the non-defense programs of the Maritime Administration (MARAD). The FMC is responsible for the economic regulation of U.S. waterborne foreign commerce and unfair shipping practices. The MARAD oversees several programs related to defense readiness, as well as programs designed to promote and develop the domestic merchant marine and shipbuilding industries. Title VII of P.L. 115–282 authorized funding for the FMC of \$28.01 million in fiscal year 2018 and \$28.54 million in fiscal year 2019. Regarding authorized funding for the MARAD, subtitle A of title XXXV of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (P.L. 115–232) provided \$840.2 million for fiscal year 2019 to support all the MARAD’s activities, including \$300 million for the program to recapitalize the fleet of state maritime academy training vessels.

In the 116th Congress, the Subcommittee will hold hearings on the President’s fiscal year 2020 and 2021 budget requests and consider legislation to authorize the Coast Guard for fiscal years 2020 and 2021. The Subcommittee will continue its efforts to explore options to improve Coast Guard operations, to address the estimated \$2.6 billion backlog in Coast Guard unmet needs for shore side infrastructure and deferred maintenance, and make improvements to laws governing maritime transportation and the U.S. merchant marine. In addition, the Subcommittee will continue to conduct oversight of the functions and activities of the FMC and the MARAD, especially the FMC’s implementation of amendments to the Shipping Act contained in title VII of P.L. 115–282, and the MARAD’s activities to promote job growth in the maritime and shipbuilding sectors and expansion in the U.S. flag fleet.

*2. Coast Guard Acquisitions.* The Coast Guard is currently undergoing a major recapitalization of its oceangoing assets. The recapitalization will replace or modernize more than 90 ships and 200 aircraft used to carry out the Service’s missions beyond near coastal waters. It will also replace antiquated command, control, and communications systems. The program continues to face serious challenges related to schedule and budget, although recent appropriations bills have provided additional resources. The longer these acquisition programs drag out, the longer existing legacy assets must remain in service. In many cases, these assets are at or well beyond their projected service lives and are increasingly more difficult and expensive to maintain. The Subcommittee is concerned

that delays in new asset acquisition, competing demands from shore side infrastructure and other Coast Guard cutter capital needs—including recapitalization of the Service’s polar icebreaker fleet, and the cost of legacy asset maintenance—threaten the ability of the Service to complete this recapitalization and avoid serious gaps in readiness and operational capability.

In the 116th Congress, the Subcommittee will continue to review closely the ongoing programs of record, especially the status of the \$12.1 billion Offshore Patrol Cutter acquisition—the most expensive segment. Notably, the Subcommittee will examine what, if any, impact the substantial damage to facilities at Eastern Shipbuilding caused by Hurricane Michael when it made landfall at Panama City, Florida, in October 2018, might have on the planned delivery schedule of the lead ship. In addition, the Subcommittee will consider what changes to these programs may be needed to ensure that the men and women of the Coast Guard have the best equipment possible at the best value for the taxpayer.

The Subcommittee will also examine how to meet the Coast Guard’s operating needs for which no program of record yet exists.

*3. Arctic.* The U.S. Arctic, as defined in statute, include the U.S. Exclusive Economic Zone (EEZ) north of the Aleutian Islands. Three Arctic seas—the Bering, the Chukchi, and the Beaufort—border Alaska. Historically, these seas have been frozen and non-navigable for more than half the year. The U.S. Arctic contains 568,000 square nautical miles (SNM) for which less than half is considered “navigationally significant.” Vessel traffic between the North Atlantic and the North Pacific through the Arctic requires transit through the Bering Strait, located along the U.S. boundary with Russia. The Coast Guard has been gathering data on vessel transits in the U.S. Arctic since 2008, and the Service uses the annual transit count as a general indicator of Arctic vessel activity. In the past decade, the overall trend is towards increasing maritime activity. While all areas of the Arctic are seeing increased vessel activity, the Northern Sea Route along the Eurasian Arctic coast continues to account for the bulk of Arctic shipping activity.

While U.S. agencies have a physical presence and substantial interests in the Arctic, the Coast Guard’s experience, material assets, and installations located throughout Alaska, establish it as a key maritime operational presence in the U.S. Arctic. However, with no assets permanently stationed in the Arctic, the Service must operate seasonally, usually by employing mobile command and control platforms and establishing seasonal air and communications capabilities by deploying and/or leasing assets and facilities. The Homeland Security Operational Analysis Center views this strategy as inadequate. The Center identified four major gaps in Coast Guard Arctic Capabilities, including unreliable communications, lack of adequate maritime domain awareness, scarcity of available assets and supporting infrastructure, and institutional difficulty to identify, articulate, and close capability gaps.

The Subcommittee remains concerned that the Coast Guard is ill prepared to cope with current operational demands in the Arctic, let alone react quickly should operational activities in the region need to surge suddenly or if warming accelerates at a rate more rapid than climate model projections. In the 116th Congress, the

Subcommittee will continue its oversight of maritime transportation related activities and challenges in the evolving Arctic maritime environment; assess the practical implications for U.S. security, maritime, and geopolitical interests; and review the Coast Guard's 2018–2022 Strategic Plan, and the Service's Arctic Strategy, to determine if the potential for greater Arctic activity has been given appropriate consideration.

4. *Coast Guard Mission Balance/Performance.* The Subcommittee continues to have concerns regarding the Coast Guard's ability to carry out its traditional transportation-related missions, including marine safety; search and rescue; aids to navigation; living marine resources; marine environmental protection; and ice operations. Since September 11, 2001, significant additional resources have gone to the Service's homeland security activities, including ports, waterways, and coastal security; drug interdiction; migrant interdiction; defense readiness; and other law enforcement. Traditional transportation related missions, though they have grown as maritime commerce has grown, have not fared as well and have been under-resourced. Resources and man-hours devoted to these missions remain well below pre-September 11, 2001, funding levels, and in the case of marine safety, lack of funding has substantially reduced the Service's core competence.

In the 116th Congress, the Subcommittee will continue its oversight of Coast Guard mission balance to ensure the Service qualitatively and quantitatively reviews its many missions; establishes and justifies performance measures; identifies and responds to exigencies that divert resources among missions; and plans how best to allocate limited resources appropriately among its many missions.

5. *Maritime Domain Awareness.* The effort to know what is happening at all times on the ocean, coastal and interior waters of the United States, and aboard the vessels that transit in or through waters under U.S. jurisdiction, is referred to as Maritime Domain Awareness (MDA). The successful gathering, interpretation, and distribution of MDA data is critical to promote and ensure maritime safety, homeland security, and the efficiency and reliability of the U.S. maritime supply chain.

The Coast Guard relies on several new and developing technologies to acquire, manage, and disseminate interoperable MDA information. The Subcommittee remains concerned with the Coast Guard's apparent inability to assess, or disinterest in, new technologies, such as unmanned autonomous aerial and underwater vehicles, in order to acquire MDA information in a more cost-effective manner with greater accuracy and efficiency. As such, in the 115th Congress the Subcommittee passed legislation directing the Coast Guard to establish a Blue Technology Center of Expertise (title III of P.L. 115–265) to promote awareness within the Coast Guard of the range and diversity of Blue Technologies and their potential to enhance Coast Guard mission readiness, operational performance, and regulation of such technologies. Additionally, Congress directed the Coast Guard in the Frank LoBiondo Coast Guard Authorization Act of 2018 (section 812, P.L. 115–282) to enter into an agreement with the National Academy of Sciences to complete an assessment

of available unmanned, autonomous, or remotely controlled maritime domain awareness technologies for use by the Coast Guard.

In the 116th Congress, the Subcommittee will continue its oversight of the Service's ongoing efforts to assess, develop, and implement new MDA technologies, including the Service's progress in implementing the two new MDA initiatives passed by the 115th Congress. The Subcommittee will continue its oversight to ensure that Coast Guard operations utilize the best available MDA information, and that MDA data are gathered in a timely, reliable manner, to provide a high return on investment for the taxpayer and maritime stakeholders.

*6. Coast Guard Prevention and Response Activities.* The Coast Guard plays major roles in response to oil spills and natural disasters such as hurricanes and flood events. The Service was the federal On-Scene Coordinator and National Incident Commander for the 2010 DEEPWATER HORIZON spill in the Gulf of Mexico. The Coast Guard was a first responder to Hurricanes Katrina and Rita, which devastated New Orleans and the Mississippi River Delta in 2005. In addition, in 2016 the Coast Guard responded to severe flood events in Louisiana and North Carolina, and more recently in 2017 the Coast Guard responded to a series of three devastating hurricanes (Harvey, Irma, and Maria) that ravaged portions of the Southeast United States, Puerto Rico, and the U.S. Virgin Islands.

In addition, the Coast Guard enforces domestically the implementation of the National Invasive Species Act, and internationally, U.S. compliance with a convention to prevent vessels from dumping invasive species inadvertently into U.S. waters through the discharge of ballast water. Due to a 2008 federal court decision, discharge of ballast water and other "discharges incidental to the normal operation of vessels" such as bilge water, deck wash, and air conditioning condensate, are now regulated under the Clean Water Act (CWA) by the Environmental Protection Agency (EPA). Title IX of P.L. 115-282 amended the CWA to establish a new comprehensive authority to allow both the EPA and the Coast Guard to regulate vessel discharges, finally providing a uniform national standard for ballast water discharges in U.S. waters, including the Great Lakes.

In the 116th Congress, the Subcommittee will conduct oversight on the Coast Guard's crisis prevention and response capabilities. Oil spills, natural disasters, and mass migration events each can over-extend the Coast Guard's prevention and response capabilities. The Subcommittee will conduct oversight on Coast Guard prevention and response programs, including its existing regulations authorizing the use of Alternative Planning Criteria and adequacy and availability of response assets identified in vessel response plans. The Subcommittee also will work with the Water Resources and Environment Subcommittee to conduct oversight of the EPA's and the Coast Guard's implementation of the new vessel discharge authority. Moreover, the Subcommittee will work to determine if existing response vessel requirements included in vessel response plans are sufficient to meet all contingencies, or whether there is a need for further revisions to tighten requirements to protect the marine environment.



7. *Short Sea Shipping.* Short sea shipping is the waterborne movement of commercial freight between two ports in the U.S. or between ports in the U.S. and Canada. At present, the most highly developed water freight transportation systems in the U.S. operate on the Mississippi River, the Great Lakes, and along the international St. Lawrence Seaway, most often carrying agricultural products and other raw bulk materials. However, the MARAD has found these routes are under-utilized and carry approximately 13 percent of total freight tonnage in the U.S. By comparison, nearly 70 percent of freight tonnage transported in the U.S. travels across roadways. To promote short sea shipping in the U.S., the Congress established the Marine Highway Program, Chapter 556 of title 46, United States Code.

The Subcommittee continues to recognize that revitalization of our marine highways has the potential to reduce congestion on our highways, improve air quality, and create new maritime industry jobs for Americans. Section 405 of the Coast Guard and Maritime Transportation Act of 2012 (P.L. 112–213) expanded the scope of the program beyond reducing landside congestion to efforts that generate public benefits by increasing the utilization or efficiency of domestic freight or passenger transportation on Marine Highway Routes between U.S. ports. The National Defense Authorization Act for Fiscal Year 2016 (P.L. 114–92) expanded the definition of short sea shipping to include additional discrete cargo types or freight vehicles carried aboard commuter ferries.

The Subcommittee in the 116th Congress will examine potential options for addressing factors inhibiting the cost-competitiveness and expanded use of short sea shipping in the United States. Further, the Subcommittee will evaluate how marine highways could stimulate job creation for maritime workers, both those who work on vessels or labor on the waterfront.

8. *Coast Guard Marine Safety Activities.* The Coast Guard's Marine Board of Inquiry report detailing the circumstances surrounding the October 1, 2015, sinking of the U.S. flag commercial vessel EL FARO was scathing in its criticism of the Coast Guard's failure to sustain its marine safety proficiencies and policy framework to guarantee the effectiveness of vessel inspections and surveys. Additionally, the report documented problems with the Alternative Compliance Program and the Service's growing reliance on the use of classification societies to maintain surveys and inspections of U.S. flag vessels. Congress enacted title II of S. 3508, the Hamm Alert Maritime Safety Act of 2018 (P.L. 115–265), to make several important maritime safety improvements. Provisions in the bill drew from three principal sources: recommendations contained in the Marine Board's report; recommendations contained in a separate corollary report prepared by the National Transportation Safety Board; and recommendations contained in the Final Action Memorandum (FAM) issued by then-Commandant, Admiral Paul F. Zukunft.

During the 116th Congress, the Subcommittee will conduct oversight of the Coast Guard to determine the progress made in implementing the Hamm Act and the recommendations contained in the FAM. Additionally, the Subcommittee will want to assess the Coast Guard's oversight of recognized organizations operating on behalf

of the Coast Guard under the Alternate Compliance Program to determine if changes are required to ensure accountability, transparency, and effectiveness in the implementation and oversight of this delegated marine safety function.

*9. National Maritime Strategy.* Section 603 of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (P.L. 114–120) directed the Secretary of Transportation, in consultation with the Commandant of the Coast Guard, to develop and transmit to Congress a National Maritime Strategy (Strategy) no later than 60 days after the date of enactment. The law directed this comprehensive strategy to include recommendations to increase the competitiveness and use of U.S.-flag vessels in the U.S. foreign trade; enhance shipbuilding; ensure federal agency compliance with cargo preference requirements; and increase the use of short sea shipping in the United States. Congress is still waiting to receive the Strategy. Per section 3513 of subtitle A of title XXXV of P.L. 115–232, February 13, 2020, is now the new deadline to submit a Strategy to Congress.

The Subcommittee in the 116th Congress will continue its oversight of the MARAD and other agencies within the Committee on the Marine Transportation System (established under 46 U.S.C. chapter 555), to ascertain the status of the administration’s development of a National Maritime Strategy. In addition, the Subcommittee will seek to determine the administration’s timeline for completion. Moreover, the Subcommittee will assess whether this strategy will promote and expand economic opportunities for U.S.-flag carriers and related marine industries and sustain a stable pool of U.S. merchant mariners.

*10. Status of the U.S. Merchant Marine.* The Subcommittee remains concerned with the downward trend in the number of licensed and unlicensed U.S. mariners and a potential spike in attrition when many seafarers soon reach retirement age. The recruitment, training, and retention of credentialed U.S. mariners is necessary to not only maintain a U.S. flag presence on the high seas and in the U.S. domestic coastwise trade, but also to maintain a sufficient number of seafarers to operate vessels deployed for military sealift during times of national emergency.

In the 116th Congress, the Subcommittee will continue its oversight of the issues involved in the current estimated deficit of 1,800 licensed merchant mariners and explore potential options to expand the U.S. maritime workforce. The Subcommittee will also look at credentialing requirements for U.S. seafarers, including recent Coast Guard enforcement of mariner credential requirements for non-maritime, industrial workers on vessels. Furthermore, the Subcommittee will continue its oversight of the Administration’s Military to Mariner initiative to assess progress in building viable pathways for separating service members within the commercial maritime industry.

#### SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS, AND EMERGENCY MANAGEMENT

*1. Emergency Management.* The Subcommittee will continue to examine and evaluate the Nation’s ability to prevent, prepare for, mitigate against, respond to, and recover from disasters and emer-

gencies of all types including terrorism. In the 116th Congress, continued oversight will be needed as states continue to be affected by and recover from prior disasters. In addition, the Subcommittee will continue its oversight of the Federal Emergency Management Agency's (FEMA's) implementation of reforms and additional authorities under the Disaster Recovery Reform Act (Division D of P.L. 115-254), the Sandy Recovery Improvement Act of 2013 (P.L. 113-2), and the Post-Katrina Emergency Management Reform Act of 2006 (P.L. 109-295).

The Subcommittee intends to continue its comprehensive review and assessment of how federal disaster assistance has evolved over the past several decades and its continued effectiveness. The purpose is to examine how to make the U.S. more resilient to future disasters in consideration of the changing climate, which agencies provide assistance and how that money is spent, what guidance or controls are in place for the effective use of assistance, and the appropriate role for federal, state, tribal, and local governments. The Subcommittee will also examine FEMA's roles and authorities related to earthquake hazards to ensure that the U.S. is prepared for the risks that it faces.

2. *Border Security.* During the 114th Congress, the Subcommittee conducted oversight of land ports of entry (LPOEs) construction and the implementation of a Public Private Partnership program created as part of the Fiscal Year 2014 Consolidated Appropriations Act (P.L. 113-76). Additional legislation was moved to make changes and modifications of that program in the 114th Congress. The Subcommittee will continue its oversight of LPOE construction projects, the implementation of the Public Private Partnership program and examine additional ways in which private dollars could be leveraged.

3. *Leasing.* During the 114th and 115th Congresses, the Subcommittee held hearings and roundtables identifying the large number of General Services Administration (GSA) leases expiring in the next five years and examining the GSA's process for addressing them. The GSA currently leases 195 million rentable square feet—more than half of the GSA's total space inventory. The cost of leasing space accounts for more than half of the GSA's Federal Buildings Fund (FBF) annual expenses, totaling more than \$5.4 billion annually. Over the next five years, more than 50% of the GSA's leased space will expire, creating an opportunity to significantly reduce leasing costs to the taxpayer. The Subcommittee will continue its oversight of GSA leasing and how it manages the replacement of expiring leases with good deals for the taxpayer.

In the 114th Congress, the Subcommittee conducted oversight by requesting a GAO review of agencies with independent leasing authorities and holding a hearing focusing on how agencies with such authorities were managing them. In addition, questions about how the Department of Veterans Affairs (VA) has used its leasing authority resulted in the VA procurement of leases for its outpatient clinics and centers through the GSA's leasing authorities. In addition, other agencies with independent leasing authorities have been found to have exceeded the limitations of such authorities resulting in potential violations of the Anti-Deficiency Act (ADA). Because of these ongoing issues surrounding independent leasing authorities,

the Subcommittee will continue its oversight of leases and the use of leasing authorities outside of the GSA.

*4. Real Property Management.* The management of federal real property has been on the GAO's "High Risk" list since 2003 due to a number of mismanagement issues including the overreliance on costly leasing to meet long-term space needs and underused or vacant space. In addition, with nearly half of the GSA's assets over 50 years old, the GSA has faced challenges maintaining a balanced inventory, draining federal resources and costing more to maintain old buildings that are often inefficient. While commercial leasing may be advisable in many cases, the GSA is often driven to costly operating leases when ownership may be less costly to the taxpayer. The Office of Management and Budget's (OMB's) budget scorekeeping rules are key drivers on "own versus lease" asset decision-making. Current budget scorekeeping rules generally leave the GSA with only two options for meeting the federal government's general purpose space needs: direct appropriations for new construction or long-term leases.

During the 114th and 115th Congresses, the Subcommittee held roundtables and hearings on how public-private partnerships could be used as alternative methods of financing space. In addition, the Committee established a public private partnership (P3) panel that explored the use of P3s across various types of infrastructure, including public buildings. The P3 Panel recommended, among other things: (1) review and modify budgetary scoring rules for commercially leased office space to enable operating lease treatment of long-term leases and fixed-priced, below market purchase options; and (2) fully utilize existing lease authorities and the OMB budgetary scoring procedures to proceed with long-term ground lease and lease back arrangements where the federal government retains ownership of leasehold improvements at the end of the ground-lease term. P3s can be one of the tools used to improve the management of the Public Building Service real estate portfolio.

In 2013, the OMB issued a directive to agencies called "Freeze the Footprint" and later modified the directive in 2015 to shrink the space footprint. That directive requires agencies to reduce their amount of office and warehouse space to FY2012 levels. The Subcommittee will continue to conduct investigations and oversight of the GSA's management of its real property portfolio and examine ways to ensure cost-effective choices continue to be made. In addition, the Subcommittee will work to ensure the GSA maximizes the utilization of existing space, renegotiates existing leases to reduce costs, and sells under-used or vacant properties, which will generate revenue. Finally, the 114th Congress passed the Federal Assets Sale and Transfer Act of 2016 (FASTA; P.L. 114-287) which established a new, centralized process for disposing of unneeded space in the federal real estate portfolio. The Subcommittee will work to ensure the GSA works closely with the Public Buildings Reform Board created by FASTA to help all other federal agencies develop a list of disposal recommendations, which could include the sale, transfer, conveyance, consolidation, or outlease of any unneeded space. The Subcommittee will also work to ensure other requirements included in FASTA are appropriately implemented.

5. *Capital Investment and Leasing Program (CILP)*. As part of the Committee's annual work to review and authorize the GSA's requests for authority to repair, alter, construct, and lease property for use by federal agencies, the Subcommittee will review each prospectus presented to the Committee and recommend approval only after the Subcommittee is satisfied that the requests are cost-effective and in the best interest of the federal government. The Subcommittee will work aggressively with the GSA and tenant agencies to shrink the space footprint where appropriate.

6. *Federal Courthouses*. In June of 2010, the GAO issued a report on the federal courthouse program and found that of the 33 courthouses built since 2000, there was 3.56 million square feet of extra space, costing the taxpayer \$835 million plus \$51 million annually to operate and maintain. Since that time, the Judiciary has developed a new review process to identify the need for new courthouses. In 2013, the Committee requested the Judiciary apply the new process to the courthouses on its 5-Year Courthouse Plan. The Judiciary completed the process in late 2014 and issued an updated Plan in 2015. The Judiciary received funding for courthouse construction for several projects in fiscal years 2018 and 2019. The Judiciary is also in the process of updating its Design Guide for courthouses which could impact the cost and size of courthouses. The Subcommittee will engage with the Judiciary during this process to ensure such updates are appropriate. The Subcommittee will also closely oversee the progress made on authorized courthouses to ensure they are constructed within the limitations placed upon them by the Committee, including courtroom sharing by judges and staying below or within budget.

7. *Federal Protective Service (FPS)*. As a part of the Homeland Security Act of 2002 (P.L. 107-296), the Federal Protective Service was transferred from the Public Buildings Service of the GSA to the Department of Homeland Security (DHS). However, responsibility for the protection of federal buildings generally remains with the FPS within the DHS. The Subcommittee will continue to monitor and review the policies, procedures, and requirements of security at public buildings. The Subcommittee will also continue to monitor the use of the FPS's law enforcement authority, including delegations of such authority to other agencies, to ensure resources are appropriately focused on securing federal buildings.

8. *Major Development Projects*. The Federal Bureau of Investigation (FBI) headquarters consolidation project was authorized in the 114th Congress. The Committee refused to provide the GSA and the FBI a blank check, but set clear limitations on costs and other parameters to ensure the project would meet the needs of the FBI, shrink its space by 33 percent, and minimize costs to the taxpayer. The project did not receive funding in the 115th Congress. Subsequently, a new strategy to demolish and rebuild the building at its current location in downtown Washington, D.C. was provided to the Senate Committee on Environment and Public Works, which was a departure from the original plan to locate the FBI headquarters in the Washington, D.C. suburbs. The Subcommittee plans to conduct oversight of the project to ensure it remains as cost efficient as possible, is located in a secure location, and results in a full consolidation of the FBI headquarters.

The Subcommittee also plans to conduct close review and oversight of several other major development projects, including: (1) the development of the headquarters for the Department of Homeland Security on the St. Elizabeths campus; (2) redevelopment of the Department of Labor headquarters building, particularly examining how the GSA is utilizing its exchange authority in this context; and (3) the purchase of the Department of Transportation Headquarters building.

9. *Architect of the Capitol.* The subcommittee will continue ongoing oversight of projects being undertaken by the Architect of the Capitol pursuant to the Master Plan for the Capitol Complex, including renovation of the Cannon House Office building. Consistent oversight will ensure proper prioritization and cost savings.

10. *Smithsonian Institution Facilities.* The Subcommittee will continue its oversight of projects undertaken by the Smithsonian Institution, including the renovation, acquisition, construction, and use of local and remote museums, research, and storage facilities of the Institution. The Subcommittee will continue to oversee cost-effective solutions to the Smithsonian's space needs such as leveraging private dollars and disposal or effective reuse of underused assets.

11. *John F. Kennedy Center for the Performing Arts.* As a part of its ongoing oversight of the Kennedy Center's programs, the Subcommittee will regularly review the construction, alteration, and modernization activities of the Kennedy Center that are conducted using federal funds to ensure appropriate management and cost savings.

12. *Economic Development.* In the 115th Congress, the Subcommittee worked to reauthorize several of the economic development programs under its jurisdiction. For the 116th Congress, the Subcommittee will continue to work to reauthorize and enhance additional programs to ensure these programs are targeted, effective, and remain focused on their core missions. In addition, the Subcommittee will continue its oversight of the disaster relief funds appropriated for the Economic Development Administration programs to assist communities impacted by disasters recover.

13. *Old Post Office Building.* The Subcommittee will examine how the GSA is addressing the management and administration of the Old Post Office (OPO) lease agreement with the Trump Old Post Office LLC in light of the 2016 presidential election. The lease agreement contains a clause that bars elected officials from being "admitted to any share or part of this Lease, or to any benefit that may arise therefrom. . ."

For the past two years, the Subcommittee has engaged with the GSA regarding how the agency addressed any potential conflicts of interest associated with the lease agreement given the election. These engagements with the GSA are ongoing and the Subcommittee will continue to seek substantive information regarding the lease agreement. The Subcommittee also plans to continue to investigate and report on the GSA's management and administration of the OPO lease agreement since the presidential election.

## SUBCOMMITTEE ON HIGHWAYS AND TRANSIT

*1. Surface Transportation Investment—Current and Future Needs.* Bringing the Nation's crumbling transportation infrastructure to a state of good repair, upgrading bridges, improving road quality, addressing capacity needs, and ensuring access to reliable transit options will require substantial investment. According to the Department of Transportation (DOT), we need to invest \$1.7 trillion at all levels of government over the next 10 years to bring roads, bridges, and transit systems to a state of good repair and to expand capacity. At the same time, transportation investments made today must meet the needs of the future. This includes utilizing new technologies and incorporating innovative mobility solutions to move people and goods more safely and efficiently. This also includes building stronger, more resilient transportation networks to withstand rising sea levels, the changing climate, and seismic events; and reducing transportation greenhouse gas emissions. The Subcommittee will probe surface transportation investment needs and emerging policy areas in preparation for a long-term reauthorization bill.

*2. Sustainability of Surface Transportation Funding.* Federal highway, highway safety, and public transportation programs are funded through federal excise taxes levied on motor fuels and on various highway-related products such as tires and heavy trucks. Revenues from these user fees are deposited into the Highway Trust Fund (HTF) and may be used only for eligible transportation projects and activities. By fiscal year 2021, revenues credited to the Highway Account and Mass Transit Account of the HTF will be insufficient to meet its obligations, according to projections by the Congressional Budget Office. Congress has not raised the federal fuel tax in 25 years, and improved vehicle fuel efficiency has further eroded federal revenues. Beginning in fiscal year 2008, this combination has led to a gap in the HTF between revenues and expenditures. As a result, Congress has transferred approximately \$144 billion from the general fund of the Treasury and other sources into the HTF to maintain the solvency of the HTF. The Subcommittee will continue to monitor the status and solvency of the HTF, its ability to fund currently authorized programs and to meet future surface transportation investment needs, and examine other options to provide robust funding to meet future needs.

*3. Ensuring a Qualified Transportation Workforce.* The Subcommittee will examine workforce trends in the transportation and construction industries, as well as evaluate policies to invest in human capital through worker training and other programs within its jurisdiction to prepare the next generation of transportation workers. As more automation occurs in transportation, the Subcommittee will also monitor the potential impact on workers that will be affected.

*4. Restoring the Congressional Intent of the Capital Investment Grant program.* The Fixing America's Surface Transportation Act (FAST Act; P.L. 114–94) authorized \$2.3 billion for each of fiscal years 2016–2020 for the Capital Investment Grant (CIG) program. Recent presidential budget requests propose phasing out the CIG program. Congress has rejected these proposals by continuing to

appropriate funding for the CIG program above the \$2.3 billion authorized amount. In addition, concerns have been raised about the Federal Transit Administration's (FTA) implementation of the CIG program. The Subcommittee will examine the FTA's implementation of the CIG program to ensure that it adheres to Congressional intent and examine concerns raised about that implementation, including administrative delays and related cost escalations.

5. *Motor Carrier Oversight.* The Subcommittee will monitor prominent motor carrier issues including assessing the safety fitness of truck and bus companies, compliance with hours of service regulations, and will consider options to improve safety of commercial motor vehicles. The Subcommittee will also examine issues related to or affecting commercial motor vehicle drivers including attracting and retaining qualified drivers, the impact of congestion and detention time, and training requirements for new drivers entering the industry.

6. *Rolling Stock Procurement Reform.* The Subcommittee will examine ways to improve the procurement process for rolling stock with the goal of reducing costs to enable taxpayer dollars to go further and expanding the public benefits of the procurement process. Specifically, the Subcommittee will examine Buy America requirements, explore ways to assist small transit agencies with the procurement process, and streamline the No/Low bus procurement process, among other areas.

7. *Improving the Safety of U.S. Roadways which Endure 37,000 Fatalities a Year.* The National Priority Safety Programs provide grants to eligible states in order to address specific highway safety challenges such as impaired driving, pedestrian and bicycling fatalities, and distracted driving and younger drivers. The Subcommittee will examine the performance of each program and consider changes to the programs to boost their effectiveness at reducing fatalities.

8. *FAST Act Implementation.* The FAST Act, enacted on December 4, 2015, reauthorized federal surface transportation programs through fiscal year 2020. In the 116th Congress, the Subcommittee will continue to oversee implementation of the FAST Act by the DOT.

#### SUBCOMMITTEE ON RAILROADS, PIPELINES, AND HAZARDOUS MATERIALS

1. *Rail Infrastructure and Safety Programs.* The Passenger Rail Reform and Investment Act of 2015 (PRRIA), enacted as title XI of the FAST Act (P.L. 114–94), reauthorized Amtrak and programs administered by the Federal Railroad Administration (FRA). PRRIA restructured and consolidated the grant programs administered by the FRA to include Consolidated Rail Infrastructure and Safety Improvement Grants for passenger and freight rail projects that improve safety, reliability or efficiency; Federal Partnership for State of Good Repair Grants for capital grants to reduce the state-of-good-repair backlog for assets used to provide intercity passenger rail service; and Restoration and Enhancement Grants for operating assistance grants to initiate, restore, or enhance intercity passenger rail service. PRRIA authorized a total of \$2.2 billion for these programs for fiscal years 2016 through 2020. PRRIA also



made several improvements to the Railroad Rehabilitation and Improvement Financing (RRIF) program, which provides long-term, low-interest loans and loan guarantees for railroad-related improvements. While this program is authorized to provide up to \$35 billion in lending, the FRA has executed only about \$5.4 billion in loans; \$29.6 billion is currently available in credit authority. The Subcommittee will conduct oversight of the grant and loan programs and the ongoing construction of projects throughout the country as grantees build-out their projects.

PRRIA also addressed the safety, efficiency, and reliability of the rail industry. The Act included several provisions to improve safety at highway-rail grade crossings, including a requirement that all states develop highway-rail grade crossing safety action plans. The Act emphasized the safety of intercity passenger and commuter rail operations, with requirements that carriers develop action plans to ensure compliance with speed limits on curves and in bridges and tunnels; that the Secretary of Transportation evaluate track inspection regulations on high-density commuter railroad lines; and that audio and image recording devices be installed in passenger train locomotives. The Subcommittee will conduct oversight of the FRA's safety programs and the changes enacted as part of the Act.

The work at the FRA to implement the Rail Safety Improvement Act of 2008 (P.L. 110-432) continues, in particular the Act's requirement for the installation of positive train control (PTC) systems by December 31, 2015, on rail routes carrying passengers or poisonous or toxic-by-inhalation hazardous materials.

In October 2015, the Positive Train Control Enforcement and Implementation Act of 2015, enacted as part of the Surface Transportation Extension Act of 2015 (P.L. 114-73), extended the deadline for installation of PTC to December 31, 2018. At the discretion of the Secretary of Transportation, the deadline may be extended for individual railroads for up to two additional years. The Act requires each rail carrier to report annually to the DOT on its progress toward implementing PTC systems. PRRIA also made available \$199 million from the Mass Transit Account of the Highway Trust Fund for discretionary grants to public transit agencies and state and local governments to assist them with the costs of installing PTC.

The Subcommittee will conduct oversight of the FRA's safety programs, including the FRA's progress toward implementing the requirements of the Rail Safety Improvement Act of 2008, grants issued for implementation of PTC, and railroad progress toward meeting the final deadline for implementation of PTC.

2. *Amtrak*. PRRIA reauthorized Amtrak, Amtrak's Office of the Inspector General, and the Northeast Corridor Commission through fiscal year 2020. The Act changed the authorization structure of Amtrak by providing funding by "lines of business" (specifically the Northeast Corridor and the National Network) rather than providing separate grants for operating and capital/debt service activities. The Act also reformed Amtrak's operations, budgeting, and planning processes to reflect the lines-of-business approach. PRRIA also established a State-Supported Route Advisory Committee to help remedy issues pertaining to cost allocation on state-supported routes. The Subcommittee will conduct oversight of

Amtrak, Amtrak's Office of the Inspector General, the Northeast Corridor Commission, and the State-Supported Route Advisory Committee as well as implementation of the 2008 and 2015 Acts.

3. *Surface Transportation Board (STB)*. The Surface Transportation Board Reauthorization Act of 2015 (P.L. 110–114) reauthorized the STB for the first time since the agency was created in 1995. The Act expanded the Board from three to five members; set expedited timetables for consideration of rate complaints; authorized the STB to initiate investigations on its own initiative; modified the voluntary arbitration process for small rate disputes; and made other changes to improve the STB's efficiency and responsiveness. The Subcommittee will conduct oversight of the STB and its implementation of the reauthorization Act.

4. *Pipeline Safety Programs*. Congress reauthorized the Pipeline and Hazardous Materials Safety Administration's (PHMSA) pipeline safety program through fiscal year 2019 in the Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2016 (PIPES Act; P.L. 114–183). The PIPES Act will ensure the agency completes its responsibilities under the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011; provided for a number of assessments of the current safety program; included the establishment of minimum standards for underground natural gas storage systems and liquefied natural gas facilities; provided the PHMSA with emergency order authority to impose emergency restrictions, prohibitions, and safety measures on owners and operators of pipeline facilities to abate imminent hazards; and reformed the PHMSA to be a more dynamic, data-driven regulator. The Subcommittee will conduct oversight of the Office of Pipeline Safety at the PHMSA and its implementation of the 2016 and 2011 Acts.

5. *Hazardous Materials Safety Programs*. The Hazardous Material Transportation Safety Improvement Act of 2015, enacted as Title VII of the FAST Act (P.L. 114–94), reauthorized the hazardous materials safety program administered by the PHMSA. The Act included a number of provisions to enhance the safety of hazardous materials transportation, with a significant focus on the transportation of flammable liquids, including crude oil and ethanol, by rail. The Act requires all new tank cars to be equipped with thermal blankets and protection for top fittings; mandates that all DOT–111 tank cars in flammable liquids service be retrofitted in accordance with new DOT standards; requires railroads to provide States and local responders with advanced notification and information on high-hazard flammable trains; and authorizes grant funding to assist communities in preparing for and responding to hazardous materials accidents. The Subcommittee will continue oversight of the PHMSA's hazardous materials safety program.

#### SUBCOMMITTEE ON WATER RESOURCES AND ENVIRONMENT

1. *Clean Water Act and Water Infrastructure Programs*. The Clean Water Act (CWA) was enacted in 1972 to “restore and maintain the chemical, physical, and biological integrity of the Nation's waters.” The CWA established the basic structure for regulating the discharge of pollutants into the waters of the U.S., provided the Environmental Protection Agency (EPA) with authority to establish nationwide standards for water pollution control programs that are

implemented either by the EPA or approved states, funded the construction of wastewater treatment projects, and recognized the need to address nonpoint sources of pollution.

While the CWA has made significant progress in addressing water quality impairments, continued improvement of water quality will likely require a combination of regulatory and non-regulatory approaches, as well as continued investment in the implementation of water quality-related and water infrastructure programs. The Subcommittee's oversight will focus on issues related to implementation of the CWA, both by federal agencies and approved states, as well as the need for additional water infrastructure investment.

The Subcommittee will conduct oversight of the implementation of various regulatory and non-regulatory programs under the CWA, including how the EPA and the Army Corps of Engineers (Corps) implement and enforce these programs in conjunction with approved states, and trends on the effectiveness of the CWA to improve local water quality. This includes oversight of issues involving the establishment and implementation of water quality standards and total maximum daily loads; the development and application of new or revised effluent limitations; compliance with and enforcement of the permitting programs of the CWA under section 402 (point source discharges of pollutants under the National Pollutant Discharge Elimination System (NPDES) permit program) and section 404 (permitting of discharges of dredged or fill materials); and how the EPA and the Corps assert federal jurisdiction and make jurisdictional determinations under the CWA. Oversight also will include an examination of federal and state policies and efforts to address the presence of nutrients, harmful algal blooms, and other contaminants in waters under the CWA and other federal statutes, the impact of CWA-associated releases on waters that may be used as a source of drinking water as well as combined and sanitary sewer overflows, stormwater, certain agricultural activities, and nonpoint sources of pollution.

Continued investments in U.S. water-related infrastructure should: (1) prioritize the creation of American jobs and the utilization of American-made products; (2) support a healthy and sustainable economy and environment; and (3) protect public health and safety. In furtherance of these points, the Subcommittee will conduct oversight of wastewater treatment and water pollution control funding issues, including levels and sources of funding and management of grant and loan programs; opportunities for utilities to increase their overall efficiency and resiliency; wastewater security; and infrastructure needs. The Subcommittee will also examine local affordability concerns, including whether and how existing CWA infrastructure financing authorities are utilized by different types of communities, and whether additional federal resources can and should be targeted to address local affordability concerns. The Subcommittee may also examine how existing CWA financing authorities serve to address the water infrastructure needs of small, rural, tribal, and low-income communities.

Further, the Subcommittee will continue to review the EPA's implementation of integrated approaches to municipal stormwater and wastewater management through the EPA's integrated plan-

ning approach framework, as well as on the utilization of green infrastructure and nature-based approaches to addressing local water quality concerns as well as other local quality-of-life benefits. The Subcommittee may investigate whether non-regulatory approaches, such as water quality trading and other market-based approaches, and other innovative approaches undertaken by state and local governments, could result in improvements to the environment.

2. *Army Corps of Engineers Water Resources Program.* The Subcommittee will review efforts to improve the efficiency and effectiveness of the civil works program of the Corps, including the planning, authorization, and implementation of water resources development projects, and the Corps' efforts to improve the resiliency and sustainability of civil works projects in the short- and long-term. The Subcommittee will also examine the financing and maintenance of harbor and inland waterways infrastructure and efforts towards full-utilization of annual harbor maintenance trust fund collections for the maintenance of large, medium, and small (emerging) harbors; the backlog of uninitiated Corps construction projects or deferred Corps maintenance projects; and asset management of projects in the Corps' operation and maintenance account, including existing and future levels of service. The Subcommittee may review the effect of recent changes in the process for funding the Corps' civil works projects, including increased usage of non-federal sponsor funds through advanced or contributed funds, or through use of sections 203 and 204 of the Water Resources Development Act of 1986 (P.L. 99-662), on the Corps' civil works missions. The Subcommittee will also review the Corps implementation of provisions of recently enacted water resources development acts, including the Water Resources Development Act of 2018 (P.L. 115-270).

Continued investments in U.S. water-related infrastructure should: (1) prioritize the creation of American jobs and the utilization of American-made products; (2) support a healthy and sustainable economy and environment; and (3) protect public health and safety. The Subcommittee will focus on getting projects built efficiently, cost effectively, and in a resilient and sustainable manner, delivering long-term project benefits to the public while also ensuring compliance with existing planning and environmental laws.

3. *EPA—Superfund/Comprehensive Environmental Response, Compensation, and Liability Act and Brownfields.* The Superfund program under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA; P.L. 96-510) is aimed at cleaning up land in the U.S. that has been contaminated by hazardous waste and poses a risk to human health and/or the environment. The Brownfields program was authorized under the Brownfields Revitalization and Environmental Restoration Act (title II of P.L. 107-118, which amended CERCLA). The Brownfields program is aimed at enhancing state, local, and private-sector cleanups of properties, the redevelopment or reuse of which may be complicated by the presence or potential presence of a contaminant. Unaddressed brownfields and Superfund sites drive down property values and tax revenues, pose potential human health concerns, and can deter reinvestment in cities and towns. The Brownfields program protects from Superfund liability many

parties engaged in voluntary brownfields cleanups, and supports state and local brownfields assessment and cleanup activities, and state voluntary cleanup programs. The Subcommittee's oversight will focus on issues related to implementation of the Superfund and Brownfields programs.

The Subcommittee will also review efforts to improve the efficiency and effectiveness of the contaminated site cleanup process, the process of assessing natural resources damages, and the efforts to hold responsible parties accountable, consistent with federal law. In addition, the Subcommittee will review the liability, financing, and settlement mechanisms and procedures under the current Superfund program, including the relation of funding sources and levels for the Superfund and Brownfields programs to current demands and needs. The Subcommittee will continue reviewing implementation of the EPA's brownfields program, including changes to the program enacted in the BUILD Act (P.L. 115-141).

The Subcommittee also will review the role of the states in conducting and financing cleanups, and review the relationships among the states, the EPA, and other federal entities in implementing the Superfund and Brownfields programs.

In addition, the GAO in 2017 added to its high-risk list the U.S. Government's environmental liabilities for cleaning up areas where Federal activities have contaminated the environment.<sup>20</sup> Various Federal laws, including the Superfund law, agreements with States, and court decisions require the Federal government to clean up environmental hazards at Federal sites and facilities. According to GAO, in fiscal year 2016, the Federal government's estimated environmental liability was \$447 billion; however, this estimate does not reflect all of the future cleanup responsibilities Federal agencies may face.<sup>21</sup> The Committee will conduct oversight of the Federal government's actions to assess, quantify, and address its environmental liabilities as they relate to those Federal agencies and laws under the jurisdiction of the Committee.

4. *Tennessee Valley Authority.* The Subcommittee will review the management of the Tennessee Valley Authority (TVA) and its programs, including its energy program, operations in the current marketplace, its long-term management of the TVA assets, properties, and byproducts of energy generation, and the impact of the TVA debt on its long-term goals. The Subcommittee may also examine issues related to its management of the TVA workforce and the TVA's responsibilities in meeting its employee pension and retirement obligations.

5. *Saint Lawrence Seaway Development Corporation.* The Saint Lawrence Seaway Development Corporation (SLSDC) is a wholly-owned government enterprise created in 1954 to construct, operate, and develop jointly with Canada a seaway between Montreal and Lake Erie. The SLSDC is operated under the Secretary of Transportation's general direction and supervision. The Subcommittee will review the overall operations of the SLSDC, the management

<sup>20</sup> U.S. Government Accountability Office, Report to Congressional Committees, *High Risk Series: Progress on Many High-Risk Areas, While Substantial Efforts Needed on Others* (GAO-17-317, February 2017) (available at <https://www.gao.gov/products/GAO-17-317> and <https://www.gao.gov/assets/690/682765.pdf>).

<sup>21</sup> *Id.*

of commercial traffic through the St. Lawrence Seaway in coordination with Canada's Saint Lawrence Seaway Authority, and the progress made by the SLSDC in meeting its 10-year asset renewal effort for U.S.-controlled assets of the Seaway.

6. *Natural Resources Conservation Service.* The Natural Resources Conservation Service (NRCS) of the Department of Agriculture is authorized to give technical and financial help to local organizations planning and carrying out watershed projects for flood protection, agricultural water management, recreation, municipal and industrial water supply, and wildlife enhancement. The Subcommittee will review the overall operations of the NRCS as they relate to implementation of the Watershed and Flood Prevention programs and Watershed Rehabilitation Program, which are under the jurisdiction of the Subcommittee.

7. *International Boundary and Water Commission.* The International Boundary and Water Commission (IBWC) was established in 1889 with the responsibility for applying the boundary and water treaties between the U.S. and Mexico and settling any disputes over their application. The body is comprised of both U.S. and Mexican sections, headed by an Engineer-Commissioner who is appointed by the President. The U.S. Section is headquartered in El Paso, TX and operates under the guidance of the State Department. The IBWC carries out, in accordance with their governing treaties, the distribution, regulation, and conservation of water in the Rio Grande and Colorado Rivers for use by both countries; joint construction, operations, and maintenance of international storage dams and reservoirs; and hydroelectric plants, flood protection, and sanitation projects for border water quality problems, as well as demarcating the boundary between the U.S. and Mexico.

The Subcommittee will review the overall operations of the IBWC, including its management of several flood damage reduction and water supply infrastructure projects under the authority of the Commission.

## OVERSIGHT PLAN—MINORITY VIEWS

Although much of the Oversight Plan was developed in a bipartisan manner, the Minority Members submit additional minority views to clarify one aspect of the Oversight Plan with regard to the Subcommittee on Highways and Transit, specifically, the paragraph regarding “Surface Transportation Investment—Current and Future Needs.” While the minority agrees it is important to build stronger, more resilient transportation networks, we do not agree with the specificity of the purpose for doing so set forth by the majority. As we seek to maximize scarce taxpayer resources, reduce future costs, and ensure communities are able to re-build, the minority continues to believe that building stronger, more resilient transportation infrastructure is simply good practice. With that, we submit the following modification to the portion of the Oversight Plan which specifically addresses work under the Subcommittee on Highways and Transit.

### SUBCOMMITTEE ON HIGHWAYS AND TRANSIT

1. *Surface Transportation Investment—Current and Future Needs.* Bringing the Nation’s crumbling transportation infrastructure to a state of good repair, upgrading bridges, improving road quality, addressing capacity needs, and ensuring access to reliable transit options will require substantial investment. According to the Department of Transportation (DOT), we need to invest \$1.7 trillion at all levels of government over the next 10 years to bring roads, bridges, and transit systems to a state of good repair and to expand capacity. At the same time, transportation investments made today must meet the needs of the future. This includes utilizing new technologies and incorporating innovative mobility solutions to move people and goods more safely and efficiently. This also includes building stronger, more resilient transportation networks. The Subcommittee will probe surface transportation investment needs and emerging policy areas in preparation for a long-term reauthorization bill.

SAM GRAVES,  
*Ranking Member.*





# COMMITTEE ON VETERANS' AFFAIRS

## OVERSIGHT PLAN

Pursuant to rule X of the House of Representatives, the Committee on Veterans' Affairs is responsible for determining whether laws and programs within its jurisdiction are being implemented according to Congressional intent. The Committee on Veterans' Affairs conducts its oversight with the help of five Subcommittees: the Subcommittee on Disability Assistance and Memorial Affairs, the Subcommittee on Economic Opportunity, the Subcommittee on Health, the Subcommittee on Oversight and Investigations, and the Subcommittee on Technology Modernization. It is expected that oversight of the issues outlined below will be a shared responsibility of both the full Committee and the appropriate subcommittees.

### SUBCOMMITTEE ON DISABILITY ASSISTANCE AND MEMORIAL AFFAIRS

*Appeals Reform.*—The Veterans Benefits Administration (VBA) and the Board of Veterans Appeals (BVA) are responsible for reviewing a veterans' appeal when they disagree with the decision made by a Department of Veterans Affairs (VA) Regional Office (RO) on their initial benefits claim. In August of 2017, the Appeals Improvement and Modernization Act was signed into law (P.L. 115–55) in an attempt to reduce the growing number of appeals, to reduce the time veterans waited for a decision, and to streamline the process. After 18 months of planning and preparation, the Secretary of VA must “certify” that the necessary procedures, regulations, staff, and IT are in place for successful implementation by February 15, 2019. As a first order of business, the Committee will assess whether this timeline has been met and whether impediments exist to a successful and timely roll out of this long-awaited reform. The Committee also intends to continue the pattern of holding status hearings at regular intervals so that VA leadership is held publicly accountable for meeting the goals clearly stated in the statute to provide fairer, more timely, and more accurate appeals decisions for veterans, and for soliciting and incorporating input from veterans service organizations in every aspect of this effort. The Committee intends to continue past efforts to ensure that all veteran-facing communications such as decision letters and informational websites use plain—focus-group-tested—English designed to provide veterans with a clear understanding of their rights and the next steps available to them.

*VBA Training.*—A consistent finding by the VA Office of the Inspector General (IG) across a wide variety of programs is that Veterans Benefits Administration's (VBA) training is generally ineffective and results in many errors. In the past, VBA's challenge train-

ing was poor and did not adequately prepare examiners to process claims. The VBA manual is frequently updated, and employees are not required to undergo new training or open email notifications explaining the changes. The Committee will conduct oversight of the quality of current VBA training and how VBA implements new training. If necessary, it will recommend steps necessary to improve training, so veterans receive the benefits to which they are entitled. VA employees who are evaluated through work credits earned for accuracy and speed—often without adequate training or time to understand process changes—will be asked directly for their recommendations for how to improve the training they receive with the goal of ensuring that the veterans receive full and fair consideration of the evidence in their claims so decisions are not rushed through with only a cursory look. The Committee will ask VBA to describe ways employee input is incorporated in the planning and implementation of program training throughout VBA on an ongoing basis.

*Military Sexual Trauma.*—The VBA reported that it processed approximately 12,000 veterans' claims per year for post-traumatic stress disorder (PTSD) related to military sexual trauma (MST) over the last three years. A number of years ago, VA relaxed the evidentiary requirements and directed claims processors to look for "markers" (i.e., signs, events, or circumstances) that provide some indication that the traumatic event happened. In FY 2017, VBA denied about 5,500 or 46 percent of those claims. A review by the IG determined that nearly half of those were not properly processed in accordance with VBA policy which may have resulted in the denial of benefits to victims of MST who may have been entitled to receive them. Almost immediately after the release of the report, the Under Secretary for Benefits responded by requiring enhanced training for clinicians conducting disability exams for MST-related PTSD claims, for all newly-hired claims processors, and for Women Veterans Coordinators and MST Coordinators. The Under Secretary also announced his intention to revisit whether separate lanes in only a few ROs should be established so these complicated claims could be processed by specialized employees. The Committee intends to closely monitor all aspects of these and other process changes VA will be using to adjudicate claims for PTSD as a result of MST. The Committee will also provide vigorous oversight of the promised reconsideration of many of the denied claims described in the IG report. The Committee will also consider whether codification of the current evidentiary standard might lead to greater consistency and improved quality for veterans filing MST related claims.

*National Cemeteries.*—The Committee will continue oversight of the National Cemetery Administration (NCA), Arlington National Cemetery (ANC), and the American Battle Monuments Commission (ABMC), to include each organization's mission, operations, and inquiries into matters of unclaimed remains, access, and the methodology for determining veteran satisfaction. Each of the above organizations provides a hallowed resting place for veterans. VA alone operates over 150 National Cemeteries to provide an honorable resting place for veterans and certain dependents. While customer service surveys continue to give the NCA high marks for the serv-

ices they provide veterans and their survivors, the Committee intends to conduct oversight of the relatively new Legacy Program to ensure the curricula and instructional materials produced through NCA contracts with institutions of higher education are following and meeting the goals of the program. The Committee will consider proposals to convert from a Federal contract program to a grant program. The Committee will also oversee whether there is significant backlog in the Pre-Need program designed to provide veterans with the assurance before death of their eligibility for burial benefits. If a significant backlog exists the Committee will work with the NCA until it is eliminated, ensuring a timely and streamlined funeral process for family members making final arrangements.

*Deported Veterans.*—VBA has processed roughly one-million disability claims a year for the past five years. A sub-set of these claims are from veterans who live outside of the United States. Veterans living abroad are eligible for the same disability compensation benefits as domestic veterans. VBA primarily relies on a specialized team in a Veterans Service Center to process claims for veterans living abroad, including obtaining and translating medical evidence and examinations for these veterans. On average, VBA takes longer to make a disability determination on claims filed by veterans living abroad, which is not unexpected given the need to translate medical information. However, questions have been raised about whether some veterans living abroad are inappropriately being denied claims or given lower disability ratings. The Committee will assess the outcomes of claims for veterans living abroad and factors that contribute to these outcomes. The Committee will also determine whether the Secretary should conduct a review of deported veterans' claims to determine if claims have been unduly denied because of a misunderstanding of the regulations as they pertain to deportation. The Committee will consider a recommendation that the Secretary establish a full-time position within the VA to provide information and support to deported veterans and guide them through the appropriate steps in the benefits process. The liaison would also serve as the point of contact at VA for the Departments of Defense and Justice on deported veteran policy.

*Fiduciary Reform.*—The Committee will review the performance of the VBA Fiduciary Program. The program is designed to provide financial security to veterans who have been determined unable to manage their VA benefit payments. Fiduciaries are designated by VA and can be a family member, a close friend, or a professional fiduciary. IG reviewed VA's Fiduciary Program to determine whether VBA finalized proposed incompetency determinations in a timely manner. IG found delays in final competency determinations completed in the latter part of 2017. These delays can result in incompetent beneficiaries receiving ongoing benefits payments without protection of a VA appointed fiduciary and in beneficiaries waiting longer for withheld retroactive benefits. The Committee will review legislation that would better enable VBA to protect and serve veterans in need of fiduciary support, taking particular interest in a proposal that currently required site inspections be replaced in some cases by phone call reviews.

*Contract Physicians.*—Some veterans require a VA medical examination as a part of the adjudication of a claim for disability benefits. Unfortunately, there are not enough VA examiners to perform these evaluations in a timely manner, and some veterans experience lengthy delays before VA is able to schedule such examinations. It may be especially difficult for VA to timely schedule these examinations if the veteran needs to see a specialist, such as a cardiologist or orthopedic surgeon. Moreover, veterans who live in rural areas may have to travel many miles to a VA facility in order to see a VA examiner for a disability examination. To provide veterans with more timely examinations, VA has authority to contract with independent physicians to conduct disability examinations. The Committee will look into whether this program is functioning as intended.

*Manila Regional Office.*—The authorization for the Manila Regional Office expires on September 30, 2019. The Committee will look at whether the Manila Regional Office is providing effective and efficient services to World War II veterans who reside in the Philippines.

*The Advisory Committee on Minority Veterans.*—The Advisory Committee on Minority Veterans provides advice to the Secretary on the administration of VA benefits for veterans who are minority group members on the topics of health care, compensation, and other services. The authorization for the Advisory Committee on Minority Veterans expires on December 31, 2019. The Committee will conduct oversight to make sure that this program is ensuring that all veterans receive the respect and services to which they are entitled.

*Department of Veterans Affairs Debt Collection Activities.*—Section 504 of the Veterans Benefits and Transition Act of 2018 mandates that VA work with VSOs to develop a new standard format for notification letters that, in plain language, clearly explain why such alleged debt was created, and the steps the veteran can take to dispute or mitigate the debt. VA is required to notify Congress when the development of such letter is complete. If such letter is not complete within 90 days of the date of enactment, VA shall notify Congress and detail the progress of developing the letter and explain why such letter is not complete. Furthermore, VA shall submit a report to Congress every 30 days thereafter, until development of such letter is complete.

This section would also require the Secretary to develop an option for individual to choose to receive notice of a debt by electronic means. Those individuals who do not elect to receive electronic notification will receive their letter by standard mail. Sec. 504 would also require the Secretary to coordinate with the Secretary of the Treasury to research the number of veterans who do not receive debt notification letters and provide a report to Congress detailing the steps VA (working with the Treasury) can adopt to reduce the number of notices sent to incorrect addresses and provide a timeline for adopting such options. The report would also include an estimated cost of sending debt collection letters via certified mail, and an analysis of the effectiveness of sending notices by certified mail, among other considerations.

## SUBCOMMITTEE ON ECONOMIC OPPORTUNITY

*Effectiveness of the Transition Assistance Program (TAP).*—The Committee continues to be concerned about the effectiveness of the TAP program which is intended to prepare servicemembers for their return to civilian life. The Departments of Defense (DoD), VA, and Department of Labor (DoL) jointly manage and provide content to the five-day course that focuses on skills needed to obtain gainful employment as well as an understanding of the benefits that are available to them from VA and DoL. The Committee will conduct an oversight hearing with GAO, DoD, VA, and DoL to discuss the recent changes made in the Fiscal Year 2019 National Defense Authorization Act, implementation of those changes, and discuss how TAP can continue to be enhanced for transitioning servicemembers and their families. The Committee will work with the Committees on Armed Services and Education and Labor to address cross-jurisdictional issues to improve the TAP program.

*Effectiveness and Outcomes of Education and Training Programs for Returning Veterans.*—The Post-9/11 GI bill, which is administered by VA, is the most generous education program for veterans since the original World War II GI Bill. Based on the length of service, the program funds up to full tuition and fees at public institutions of higher learning and about \$23,600 per year at private institutions as well as a monthly living stipend based on the housing allowance paid to servicemembers at the rank of E-5 (with dependents) and the zip code of the location where the veteran is taking the majority of their classes. Recent changes to the program have increased the benefit tiers for servicemembers that serve less than three years on active duty, restored benefit eligibility for individuals who attended an institution of higher learning that closed mid-semester, and expanded eligibility for National Guard and Reserve Component servicemembers mobilized under certain orders. The Committee intends to determine how VA is implementing those changes, as well as others included in the Harry W. Colmery Veterans Educational Assistance Act of 2017. Further, as avenues for learning and training continue to evolve and modernize, the Committee will examine these new programs and examine the effectiveness of institutions of higher learning in providing quality education to servicemembers, veterans, and survivors. In addition, the Committee will examine outcome measures for users of the Post-9/11 GI Bill, including graduation rates and job placement data, to ensure the effectiveness of taxpayers' investment in veterans' education benefits and identify predatory institutions targeting servicemembers, veterans, and survivors. The Committee will work with the State Approving Agencies to put in place policies that protect student veterans against predatory or deceitful recruiting practices of schools, such as providing misinformation about student outcomes or encouraging veterans to take out unnecessary private student loans.

*Vocational Rehabilitation and Employment (VR&E) program.*—VA's VR&E program provides education and training benefits for disabled veterans with barriers to employment. The program will fund all costs related to long and short-term education and training as well as immediate job placement services. VR&E also manages

the Independent Living (IL) program designed to enable the most severely injured veterans to live as independently as possible and the Veteran Success on Campus program, which currently stations VA Vocational Rehabilitation staff at institutions of higher learning. The Committee continues to be concerned about counselor caseloads and outcomes of VR&E programs as well as the administration of the self-employment track of the VR&E program, which can often result in high costs. The Committee will also conduct oversight over management and overall effectiveness of the VR&E program.

*Loan Guaranty Service.*—VA's Loan Guaranty Service provides a loan guaranty benefit to eligible veterans and servicemembers, which enables them to purchase a home at a competitive interest rate often without requiring a down payment or private mortgage insurance. This benefit is highly beneficial to veterans, servicemembers, and their families. Therefore, the Committee plans to conduct oversight of the home loan program with a focus on the appraisal process as well as a continued focus on the need for an increased, or eliminated, cap on the loan limits for a VA-backed loan. The Loan Guaranty Service also administers grants under the Specially Adapted Housing (SAH) program and the Special Housing Adaptation (SHA) program. These grants, provided to eligible veterans with permanent and total service-connected disabilities, enables the veteran to adapt their home or construct a new home that allows them to live in a home that is not obstructive to them due to their disabilities. These grants are beneficial for the most severely injured veterans, and the Committee intends to evaluate the overall grant amounts and what is needed to adapt a home. The Committee will also examine whether VA can better interact with and track the contractors that veterans use to make adaptations to their homes. There is also a smaller grant under the SAH program, the SAH Assistive Technology (SAHAT) grant program, which is authorized to award grants up to \$200,000 per fiscal year per grantee to make certain technical adaptations to the veteran's home, such as voice recognition operations and adaptive feeding equipment. SAHAT is authorized \$1 million and the authorization expires on September 30, 2020. The Committee will examine the SAHAT program and how it is administered.

*Adaptive Sports Program.*—This program is administered by VA, which provides grants to qualifying organizations who provide adaptive sports activities and opportunities at the local, regional and national levels, including Paralympic activities, to disabled veterans and servicemembers. This program is authorized at \$8 million. The authorization for the Adaptive Sports Program expires on September 30, 2020. The Committee will continue to examine how VA awards grants under this program and the organizations who are receiving funding, as well as how VA is working with local communities and the Paralympic community to promote and enhance adaptive sports programs for disabled veterans and servicemembers.

*Office of Small and Disadvantaged Business Utilization (OSDBU).*—VA's OSDBU is responsible for vetting the applications of veteran and service-disabled veteran owned small businesses wanting to participate in the program designed to increase the

amount of procurement dollars spent with veteran and disabled veteran-owned small businesses. The Committee will review OSDBU's performance and coordinate with the Small Business Committee to determine appropriate alternatives.

*Licensing and Credentialing Issues.*—DoD spends billions of tax dollars to provide servicemembers with the skills needed to complete DoD's mission. The vast majority of those skills translate well to civilian jobs. Unfortunately, not all states and institutions of higher learning recognize and give credit for military training to qualify for state-licensed positions; therefore, the training provided by DoD is essentially wasted. The Committee will review efforts by states and other entities to provide appropriate licenses and credentials to qualified veterans whose military training make them eligible for such credentials or licenses, as well as the progress that states are making to make certain licenses and credentials transferable across state lines.

*Homeless Veteran Reintegration Program (HVRP).*—HVRP is a program administered by DoL's Veteran Employment and Training Service (VETS), which provides grants to state and local workforce investment boards, local public agencies, and nonprofit organizations, and tribal governments, including faith-based and community organizations. The organizations that compete and receive these grants provide homeless veterans with occupational, classroom and on-the-job training as well as job search and placement assistance. The authorization for HVRP expires on September 30, 2020. The Committee will examine the organizations that are receiving these grants as well as conduct oversight of VETS awarding of these grants, and how the program can be enhanced at the federal and state levels to place more homeless veterans in careers. The Committee will also work with the Committee on Education and Labor to examine how HVRP harmonizes with other areas of DoL.

*Performance of the VETS State Grant program including performance of the Disabled Veterans Outreach Program Specialist/Local Veterans Employment Representative (DVOPS and LVERs) use of Employment Outcome Measures.*—The DVOPS/LVER program is administered by DoL VETS and funds state employment service staff dedicated to placing veterans in good-paying jobs. There are significant issues surrounding the inconsistent performance of this program across the states and the outcome measures used to determine performance continue to be inadequate. The Committee will continue to review this program and the performance outcomes of DVOPS and LVERs as well as conduct oversight of the National Veterans' Training Institute (NVTI), which trains DVOPS and LVERs on job placement and training skills for veterans.

*Homeless Veterans.*—The Committee will thoroughly examine the actions VA has taken to reduce veteran homelessness by providing homeless and at-risk veterans with appropriate housing and supportive services. The Committee will examine the Supportive Services for Veteran Families (SSVF) and Housing and Urban Development-Veterans Affairs Supportive Housing (HUD-VASH) programs and will work to ensure that the progress VA has made in lessening the number of veterans who are homeless continues to be

successful and sustainable and that VA efforts address the myriad factors that underlie veteran homelessness, rather than just increased housing opportunities. The Committee will also continue to oversee VA's integration efforts to support vulnerable veterans by facilitating access to benefits, care, and services.

#### SUBCOMMITTEE ON HEALTH

*Implementation of VA's Community Care Networks.*—The Committee will work with VA to ensure the development of Community Care Networks align with congressional intent behind passage of the VA MISSION Act of 2018 (MISSION Act). The MISSION Act is intended to reform delivery of VA community care and expand the Caregiver Support Program to include veterans of all eras. It is estimated to cost roughly \$47 billion over five years by the Congressional Budget Office. As part of the Committee's work, it will consider responsible funding mechanisms which failed to be included in the MISSION Act. This would prevent VA from being forced to cut funding to other VA programs—including healthcare provided in VA facilities—to pay for more expensive, lower quality, and less culturally competent services available in the private sector. Multiple studies have found VA to deliver a higher quality of healthcare than its private sector counterparts. The Committee will consider actions to preserve and continually improve veterans' access to high-quality, VA healthcare. Additionally, the Committee will work more closely with veteran service organizations to ensure VA's Community Care Networks operate according to the desires of the nation's approximately 20 million veterans.

*Health Equity.*—The Committee will consider measures to ensure all eligible veterans, regardless of social or physical disparities, are allowed the opportunity to participate in the nation's most advanced, qualified, and culturally competent healthcare system designed to serve them: the Veterans Health Administration (VHA). According to multiple authorities such as the Centers for Disease Control and Prevention, health inequities can result in lower life expectancy, lower quality of life, higher rates of disease, disability, death, and other adverse health outcomes. The Committee is committed to ensuring all veterans are allowed the opportunity to access physicians and treatments in environments that are welcoming and safe, regardless of social determinants of health.

*Mental Health and Suicide Prevention.*—The Committee will continue to closely monitor VA's mental health and suicide prevention efforts. In 2018, VA was found to have misrepresented the number of veterans included in its annual suicide data report as it apparently included both active duty service members and never-before activated national guardsmen and women. Additionally, the U.S. Government Accountability Office (GAO) found that in 2018, VA's suicide prevention outreach activities declined significantly after four consecutive years of increases. Due to the critical nature of this issue, the Committee is committed to continuing oversight of VA's current suicide prevention activities and support VA's innovative research in this area, such as the development of the REACHVET technology created in conjunction with the National Institutes of Health.



*Pain and Medication Management and Complementary and Integrative Health.*—The Committee will continue to examine the increased use of prescription medications to treat veterans experiencing acute and chronic pain. Effective pain management is a critical issue for the veteran population as data suggests veterans are a particularly high-risk population for prescription misuse, substance use disorder, accidental overdose, accidents, and/or self-inflicted injury. Recent studies have shown that veterans with the highest-risk conditions are also the most likely to receive the highest-dose, highest-risk opioid therapies. By working with the medical community and veterans, the Committee will pursue reasonable alternatives to opioid usage that promote healing, reduce negative side effects associated with opioid usage, and allow veterans to understand and determine the best method of pain management that works for them. Additionally, the Committee will encourage access to integrative healthcare to ensure veterans treatment options are not limited to pharmacological interventions.

*Expansion of the Program for Comprehensive Assistance for Family Caregivers.*—As part of the MISSION Act, Congress authorized, but did not fund, an expansion of the Program for Comprehensive Assistance for Family Caregivers (“Caregiver Program”) so that family caregivers for veterans of all eras could access the increased support formerly available only to veterans who served after September 11, 2001. The Committee will consider measures to ensure implementation and expansion of the Caregiver Program aligns with congressional intent that current eligibility requirements be preserved and expanded to all eras. The Committee will also oversee the implementation of the IT system for the Caregiver Program which was originally mandated as part of the Caregivers and Veterans Omnibus Health Services Act of 2010, and again mandated as part of the VA MISSION Act of 2018. The Committee will consider measures to increase both Congressional support for the program and accountability measures related to implementation and expansion of the Caregiver Program.

*Anywhere to Anywhere Telehealth Services.*—The Committee will consider measures to support and advance VA’s 2018 Anywhere to Anywhere’ initiative. The initiative is an effort by VA to expand access to healthcare through virtual technologies such as Real-Time and Store-and-Forward Telehealth, as well as services to allow veterans to access telehealth technologies from their homes. As part of the Committee’s work, it will focus on the accessibility and usability of these services by both rural providers and veteran-patients.

*Long Term Support and Services.*—The Committee will assess VA’s broad array of Long Term Support and Services (LTSS) to ensure eligible veterans have access to the most up-to-date methods of care delivery. It is projected that by 2030, one in five Americans will be a senior citizen. VA’s VetPop 2016 Projection Model indicates that while the entire veteran population is expected to decrease from 20 million in 2017 to 13.6 million in 2037, the baby boomer generation (born 1946–1964), will continue to be a substantial percentage of the total population. Within VA, LTSS refers to both home and community-based services (HCBS) as well as institution-based services. While VA has developed a network of institu-

tion-based services consisting of VA Community Living Centers, State Veterans Homes, and contracted nursing homes, VA must now work to develop a network of HCBS. The Committee will consider measures that promote a balance of institutional and non-institutional based services able to support the growing aging-veteran population.

*Healthcare for Homeless Veterans.*—The Committee will continue to combat veteran homelessness by considering measures that increase homeless and at-risk veterans' access to healthcare and services provided by both VA and its community partners. As part of this work, the Committee looks to empower and support each Veterans Integrated Service Network's (VISN) Homeless Coordinator to conduct aggressive outreach and develop strong community partnerships within each VISN's catchment area.

*VA Research.*—The Committee will oversee VA's medical and prosthetic research program to identify and eliminate redundancies and ensure the dissemination of best practices and a focus on veteran-centric research. VA's Office of Research and Development was established in 1925 to fulfill VA's mission "to discover knowledge and create innovations that advance healthcare for veterans and the Nation." The Committee intends to promote this goal by supporting research into the areas most likely to enhance the quality and delivery of healthcare to veterans, such as the effects of hazardous exposures on veterans and their families and efficacy of medicinal cannabis to treat medical conditions specific and non-specific to the veteran population.

*Enhanced Efficiency through Predictability.*—Although the Committee understands that some programs, during their infancy, should not be made permanent, many temporarily authorized VA programs have proven essential to improving veterans' health and should be made permanent. Permanent authority for programs such as the Child Care Pilot Program and Transportation Grants for Veteran Service Organization (both expected to expire September 30, 2019) would likely increase veterans' confidence that these services will be available as needed and would also increase the efficiency of these programs by allowing for long term planning and permanent funding. The Committee plans to assess temporary programs and determine whether they should be made permanent.

#### SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS

*VA Inspector General Budget and Performance.*—The Committee will review the budget of the VA Inspector General (IG) and review how VA uses the recommendations of the IG to increase efficiency and effectiveness in providing services to veterans. The Committee will also examine the IG's current resources versus workload to confirm that IG has the resources to investigate hotline complaints, congressional requests, and conduct routine inspections and audits. The Committee will also closely monitor whether IG is granted access to VA documents, information, and employees when requested, and act to ensure IG has the access and authority to conduct its investigations, inspections, and audits.

*Improper Influence by Non-Government Actors and Government Transparency.*—The Committee will investigate instances of non-government actors attempting to improperly influence the execu-

tion of VA's mission. It will also examine VA's adherence to federal laws preventing corruption, political influence, private entities' improper influence on the VA, and government transparency, including the Federal Advisory Committee Act, the Hatch Act, and the Freedom of Information Act.

*Whistleblowers.*—Whistleblowers continue to be a vital source of accurate and timely information. Protecting an employee's legal right to communicate with Congress, and report to the IG alleged violations of laws, rules or regulations, waste, abuse, mismanagement, and safety issues is essential for investigations and effective oversight of the executive branch. Despite passage of the Accountability and Whistleblower Protection Act of 2017 (Accountability Act), the Office of Special Counsel (OSC) reports that over 40 percent of its whistleblower retaliation complaints originate from VA, and the Committee has observed an increase in the number of whistleblower complaints to Congress. The Committee will examine the implementation of the Accountability Act, including the implementation and operations of the Office of Accountability and Whistleblower Protection, and its effectiveness at assisting whistleblowers and investigating complaints.

*Mental Health and Suicide Prevention.*—The Committee will continue to closely monitor VA's mental health and suicide prevention efforts. In December 2018, the Government Accountability Office (GAO) found that the Veterans Health Administration's (VHA) suicide prevention outreach declined significantly since 2016 due to lack of leadership and significant turnover. Of the \$6.2 million obligated for suicide prevention paid media, VHA had spent only \$57,000 of its paid media budget as of September 2018. Furthermore, a September 2018 IG report found that a veteran who committed suicide in the parking lot of a VA medical facility had not received coordination of treatment during discharge, including adequate documentation of access to firearms. As veteran suicides in VA medical facility parking lots increase, the Committee will examine VA's top clinical priority and its efforts to provide mental and behavioral health treatment to veterans in crisis, including VA's decision to stop publishing the statistic that 20 veterans and military servicemembers commit suicide every day, stalled implementation of the President's January 2018 Executive Order, "Supporting our Veterans During their Transition from Uniformed Service to Civilian Life," and its failure to effectively notify veterans of the mental health services it offers.

*Government Accountability Office High Risk List.*—The VHA has been on the High Risk List (HRL) since 2015. The five areas of concern GAO identified when it decided to place VHA on the HRL are: (1) ambiguous policies and inconsistent processes; (2) inadequate oversight and accountability; (3) information technology (IT) challenges; (4) inadequate training for VA staff; and (5) unclear resource needs and allocation priorities. According to GAO, VHA has not made demonstrable progress towards removal from the HRL. GAO has five criteria for removal: (1) leadership commitment, (2) capacity, (3) action plan, (4) monitoring, and (5) demonstrated progress. The Committee is concerned that root causes have yet to be identified and appropriately analyzed, plans to remove VHA have not been sufficiently developed, and actions have not been

taken according to plans. VHA has been without an Under Secretary for Health since January 2017, demonstrating a lack of senior leadership commitment towards VHA's removal.

*VA's Acquisition Process.*—VA continues to spend more than \$20 billion annually for the procurement of pharmaceuticals, medical and surgical supplies, prosthetic devices, information technology, construction, and services. VA faces significant organizational and workforce challenges, so it is capable of implementing a more efficient, effective, and coordinated acquisition function. The Committee will continue to scrutinize and pursue possible legislative remedies to address VA's procurement practices and functions that place the program at risk, including: lack of inventory controls at VA medical centers, over-reliance on and misuse of purchase cards, failure to include clinicians and end-users in the procurement process, failure to notify and train the VA contracting workforce on changes to policies, directives, and regulations, and failure to comply with the Veterans First Contracting Program.

*Prescription of Opioids and Treatment for Pain.*—The Committee will scrutinize VA's medication prescription program, its opioid safety initiative, substance abuse treatment programs, and access to alternative chronic and acute pain treatments. The Committee will continue to monitor access to medication assisted treatment at VA medical facilities, adherence to the opioid safety initiative and best practices for reducing the prescription of opioids, training of clinicians on safe prescribing practices, and monitor VHA participation in states' prescription drug monitoring programs. It will also continue its oversight work to prevent drug diversion within VHA facilities including the review of VHA's policies for tracking and managing controlled substances, and compliance with inspection requirements.

*VHA Police.*—The Committee will conduct oversight of police at VHA facilities. In 2018, the IG found that governance of the VA police program at VA medical facilities was inadequate. VA lacks central oversight of VA police programs at medical facilities, or mechanisms to prevent or address civil rights violations, abuse, or misconduct caused by VA police. The IG also found significant understaffing and inadequate staffing models at VA medical facilities. The Dr. Chris Kirkpatrick Whistleblower Protection Act of 2017 also mandated a GAO study on staffing accountability, reporting and chain of command structure of VA police at VA medical centers that is expected to be published this Congress. The Committee will determine whether legislative remedies are needed to bring greater accountability to the VA police force, prevent real or perceived conflicts of interest, and provide avenues of redress for those whose rights have been violated by VA police.

*Sexual Harassment at VA.*—According to a 2018 Merit Systems Protection Board study on sexual harassment in the federal workforce, VA had the second highest rate of employees experiencing sexual harassment in the federal government. However, no significant actions have been taken by VA leaders to address sexual harassment. The Committee will conduct fact finding to examine the high rate of sexual harassment in the VA, develop solutions to prevent and address sexual harassment, facilitate an environment in which victims feel comfortable reporting sexual harassment, em-

power employees and supervisors to intervene when sexual harassment is witnessed or reported, and hold VA leaders accountable for non-action.

*VA Administration, VA Employee Adverse Actions, and Federal Labor Protections.*—The Committee will continue its oversight of disciplinary actions taken against VA employees, including the disproportionate removal of lower level VA employees in comparison to supervisors and senior VA employees. The Committee will also review whether VA employees subject to adverse actions receive due process—including access to representation. The Committee will examine whether the Accountability Act has been implemented according to congressional intent and whether it has achieved its desired outcome to address poor employee performance and discipline employees for misconduct, clean up toxic work environments that exist within VA, and hold leaders accountable for non-action or contributing to toxic work environments.

*Chronic Understaffing.*—According to figures released in February 2019, VA currently has 48,985 staff vacancies throughout the Department. Almost 43,000 of those vacancies are in VHA. The Committee will examine VA's efforts to hire employees to address access to healthcare at VA facilities, and processing of benefits claims and appeals. It will also examine high attrition rates and lack of training for human resources employees, and recruitment, hiring, and onboarding processes for VA employees. Finally, the Committee will also review rates of pay and other recruitment and retention incentives and programs.

*Office of the Medical Inspector.*—Questionable findings released by the VA Office of the Medical Inspector (OMI) in three separate congressionally-requested reviews or investigations require the Committee to examine the OMI's processes and methods for conducting reviews and inspections at VA medical facilities. The Committee will also examine whether the OMI is resourced appropriately due to significant demands placed on the office from the OSC, the VA IG, and VHA.

*Next Generation-Medical Surgical Prime Vendor Program.*—NG-MSPV is the largest procurement program in VA. It is an effort to develop a medical-surgical product formulary for use by VHA clinicians and achieve major cost savings by buying in bulk. This program has been hampered by a lack of leadership, resources, clinician involvement, outdated IT systems, and an inability to award the necessary contracts in a timely fashion. The Committee will continue examining VA's implementation effort, including VA's failure to follow the Veterans First Contracting Program during development of the formulary, and other significant challenges faced by the VA contracting organization.

*Construction.*—The Committee will closely monitor remaining construction projects designed or commenced before the U.S. Army Corps of Engineers' (USACE) involvement through completion. The Committee will also monitor the relationship between the VA and USACE to ensure cooperation and coordination between the agencies and improve VA's activation of newly built hospitals.

*Leasing.*—Leasing land and buildings for new VHA facilities is fraught with delays and challenges. Leasing is carried out through a complicated interplay of the VA Central Office, the Government

Services Administration, local offices, and real estate broker contractors. Jurisdictional battles within VA, poor management of broker contracts, and previous delays in congressional authorization have contributed to inefficiencies and delays in the system. The Committee will work to uncover the root causes of these problems.

*Payment of Community Providers.*—VA continues to struggle with its failure to promptly pay community providers. This is caused in part by a failure to implement updates to its software, reliance on dozens of decentralized claims processing centers, and inefficient manual adjudication processes. The Committee will continue to evaluate the root causes of VA's payment deficiencies and consider remedial actions to improve efficiency.

*Improper and Over-Payments for Care in the Community.*—In 2017 and 2018, IG audits determined that VA was overcharged \$140 million from November 2014 to March 2017 by third party community care contract administrators. These third-party administrators are under civil and criminal investigation for excessive, duplicative, or improper claims, and wire fraud and misused government funds. The Committee will conduct fact-finding into whether VA was overcharged and oversee VA's efforts to recoup any improperly paid claims.

*Unauthorized or Expiring Authorities.*—The Committee will conduct oversight regarding unauthorized appropriations and expiring authorizations under the Committee's jurisdiction to identify those in need of authorization.

#### SUBCOMMITTEE ON TECHNOLOGY MODERNIZATION

*Electronic Health Record Modernization (EHRM).*—The VA signed a contract in May 2018 to procure the Cerner Millennium EHR system. The implementation is expected to take at least ten years, cost over \$16 billion, and be interoperable with the Department of Defense (DoD) MHS Genesis system and community providers' systems. The initial implementation of the system is scheduled for March 2020 in VISN 20 (Washington State). The Committee will monitor all aspects of implementation of the EHRM, including governance and accountability, cost, schedule, clinical impact, testing and evaluation, and interoperability, among other areas.

*VistA Sustainment.*—Because the EHRM is expected to take over a decade to implement, the VA will need to sustain the existing VistA system at a projected cost of nearly \$20 billion for ten years. Future implementation sites will need a functioning VistA system throughout the implementation period. The VA is expected to develop a sustainment plan but has not yet done so and is continuing to implement changes (or "builds") to VistA as needed. The Committee will monitor efforts to create the sustainment plan and will review how the VA manages VistA during EHRM implementation.

*Financial Management System Modernization.*—The VA continues to move forward with the Financial Management Business Transformation (FMBT) project, although significant work remains to be done. The project will replace a 30-year-old COBOL-based system and is estimated to cost \$2.3 billion over ten years. The Committee will monitor the program as it moves through the anal-

ysis and requirements development phase and will review the VA's acquisition plans.

*Enterprise Investments.*—VA information technology (IT) has been on GAO's High Risk List since 2015, and modernization plans are currently in development are part of VA's effort to be removed from the list. The Committee will evaluate the final modernization plans to assess how they address GAO's concerns, as well as gauging whether VA's modernization efforts address enterprise-wide technology deficits instead of leading to further siloing of investments.

*IT Workforce Investments.*—The VA has lost internal capacity to develop and manage its technology portfolio and has become heavily reliant on contractor support. VA officials have plans to staff up program offices to address some of this deficit, but it is not clear that there is a comprehensive workforce plan or whether future budget submissions will address this shortfall. The Committee will monitor VA's efforts to rebuild its technology expertise and assess whether workforce staffing plans will meet technology implementation needs and modernization plans.

*Scheduling System Acquisition.*—In January 2019, VA announced a decision to not move forward with its scheduling system pilot—described as very successful—and will instead acquire a Cerner scheduling system that will be implemented over a two-year period. VA officials have provided little information about the decision and how it will impact EHRM implementation. The Committee will assess the VA's decision-making process on the pilot project and will assess the implementation across the enterprise and its impacts on the EHRM program.

*Cybersecurity, Data Management, and Privacy.*—The acquisition of new IT systems by VA will prompt many questions about cybersecurity and data management. In addition, the implementation of EHRM will have implications for the protection of veteran health information and will need further assessment for cyber risks due to the interoperable environment for the system. VA has yet to deliver a cybersecurity strategy for EHRM to the Committee. The Committee will monitor and review the development of strategies and governance plans related to cybersecurity. The Committee will also assess how modernization efforts comply with other statutory requirements, such as the annual FISMA audit.

*Healthcare Innovation through Technology Modernization.*—The VA has often led in healthcare innovation and the modernization projects present opportunities to engage in more innovation. The Committee will assess how innovation is being built into technology acquisitions and whether it is being executed in meaningful ways across the VA enterprise.

## ADDITIONAL VIEWS

Rule X of the House of Representatives for the 116th Congress no longer requires committees to adopt oversight plans in an open meeting. Rule X now requires the Chairman, in consultation with the ranking member, to prepare an oversight plan; circulate the plan among committee members for at least seven days before filing the plan; and gives members the right to submit additional views. What follows are additional views for the Committee's proposed oversight plan for the 116th Congress.

The Committee's oversight activities must prioritize oversight of the department's implementation of transformational programs enacted during the 115th Congress. Specifically, during the 115th Congress, Congress passed, and the president signed into law, several major pieces of legislation to improve the benefits and services provided to veterans and their families. This legislation included: the VA Accountability and Whistleblower Protection Act of 2017, the Veterans Appeals Improvement and Modernization Act of 2017, the Harry W. Colmery Veterans Educational Assistance Act of 2017, and the VA MISSION Act of 2018. Additionally, in May 2018 the department embarked on 10-year and \$16.1 billion program to modernize its electronic health record. Although I largely support the majority's proposed oversight plan, I offer the following suggestions to improve the plan.

### SUBCOMMITTEE ON DISABILITY ASSISTANCE AND MEMORIAL AFFAIRS

*VBA Quality Review*—VA employs a variety of mechanisms to review the quality of initial claims decisions. For example, one of VBA's main tools to review the accuracy of claim decisions is the Systematic Technical Accuracy Review (STAR) checklist. The checklist has a very restrictive category of what constitutes an "error," and a more expansive category of what would be considered a "comment," which is why VA claims a 98 percent accuracy rating despite many complaints by veterans and Congress as to the quality of decisions. Moreover, by allowing quality reviewers to simply comment on many errors, VA can sidestep actually holding employees accountable for inaccuracies. Additionally, recent VA Office of Inspector General (OIG) reports on reevaluations, intent to files, and post-traumatic stress disorder claims based on military sexual trauma found that VA's quality control procedures did not identify that employees were making systematic errors and, therefore, VA failed to develop and update training and guidance to prevent these errors in the future. The Committee should investigate how VBA has designed its quality review measures, to what extent that design yields accurate results, and whether VA's quality controls are sufficient to locate deficiencies in training and guidance.

*Toxic and Environmental Exposures Benefits*—Veterans have raised questions about the negative effects that in-service toxic and



environmental exposures, such as mustard gas/lewisite, herbicides, and burn pits may have had on certain health outcomes. To address some of the concerns, VA has been contracting with the National Academies of Sciences, Engineering, and Medicine (formerly the Institute of Medicine), a non-governmental organization, to scientifically review evidence on the long-term health effects of toxic and environmental exposures. The Committee should review VA's responses to these reports to ensure that veterans who were exposed to toxic and environmental exposures receive all the benefits they have earned, and whether there are opportunities for VA and DOD to conduct additional research to help address whether these exposures are causing disabilities in veterans that should be subject to VA compensation.

*VA Compliance with Brady Act Reporting Requirements*—Under the Brady Act, VA is required to report the names of veterans and beneficiaries who it adjudicates as in need of a fiduciary to manage their finances. The Committee should investigate the department's compliance with this reporting requirement and the impact that proposed changes to the Brady Act will have on veterans' Second Amendment rights.

#### SUBCOMMITTEE ON ECONOMIC OPPORTUNITY

*Effectiveness of the Transition Assistance Program (TAP)*—I share the majority's interest in TAP. In its review of the TAP program, however, the Committee should also work with the Committee on Small Business to review the "Boots to Business" track of the TAP program that provides transitioning servicemembers training on entrepreneurship. The Committee should examine ways to connect transitioning servicemembers to community-based organizations that can assist them in accessing training and services in the community where they transitioning to after service. The Committee should also examine how to help create and implement meaningful and statistically valid outcome measures to validate whether TAP is meeting the needs of transitioning servicemembers.

*Vocational Rehabilitation and Employment (VR&E)*—I share the majority's interest in VR&E. The Committee should also examine VA's efforts to modernize the IT systems for administering the VR&E benefit. Last Congress, the Committee uncovered that VA had paid over \$12 million to a third party contractor to create a new case management system to help VR&E counselors track participants. This system was poorly designed and VA ultimately determined that the system was unsalvageable. Now VA has decided to purchase a commercial off the shelf system along with other IT upgrades to meet the original requirements of the case management system. The Committee should continue to closely monitor VA's effort and ensure that no additional money is wasted on updating this critical system for administering VR&E benefits. The Committee should also continue to monitor the implementation of the VR&E longitudinal study and look for ways to better quantify VR&E outcomes.

*VBA IT Infrastructure*—In addition to the aforementioned issues with the VR&E case management system, the Committee should continue to be concerned with VBA's aging IT infrastructure. The

age and performance of the myriad systems that are required to process a Post 9/11 GI Bill claim warrants further attention as well as VBA's efforts to retire and modernize these systems. In addition, the Committee should continue its oversight of VA's creation of an IT system to implement sections 107 and 501 of the Harry W. Colmery Veterans Educational Assistance Act of 2017.

*Home Loan Limits*—The Committee should investigate whether the statutory conforming loan for the VA Home Loan Guaranty Program is limiting qualified participants' ability to use this benefit.

#### SUBCOMMITTEE ON HEALTH

*Mental Health and Suicide Prevention*—I share the majority's interest in mental health and suicide prevention. The Committee also should continue aggressive oversight of VA's mental health programming and associated funding, to include the Readjustment Counseling Service. The Committee should also continue overseeing VA's implementation of Public Law 114–2, the Clay Hunt Suicide Prevention for American Veterans Act, which—among other things—requires VA to partner with community organizations to improve the transition process for veterans.

*Capital Asset and Infrastructure Review*—The Committee must continue aggressive oversight of VA's documentation of major medical facility construction and leasing program needs and the market assessments needed to fully analyze and define the veteran population distribution and community support capacity as that overlays VA's vast and aging capital asset footprint.

*VHA Organizational Structure*—The Committee should continue its examination of how the Veterans Health Administration (VHA) defines Veteran Integrated Service Networks (VISN) roles and responsibilities, including managing and overseeing VA medical centers and to what extent VISNs vary in implementing those roles and responsibilities—to include data reporting and monitoring/enforcing compliance with directives. It should continue to press VA to establish staffing models for all lines of care. With a current growth rate of approximately two to three percent per year, it is not clear whether the VA is prioritizing hiring against certain critical care shortages.

For example, a 2016 Government Accountability Office report on VA's human capital management found that VHA suffers from limited human resources capacity and weak internal control practices, both of which have undermined VA's ability to improve the delivery of care to veteran patients. The Committee should continue to closely monitor VHA's HR Management Modernization effort and assess how that effort improves staffing and hiring practices. The Committee should also continue monitoring clinical productivity and efficiency throughout the VA healthcare system following a 2017 finding by the Government Accountability Office regarding significant barriers and limitations with respect to the metrics and models that VA uses to assess productivity and efficiency in VA medical facilities.

*VA Research*—I share the majority's interest in VA research. The Committee should continue to promote the advancement of treatment and care for women through dedicated research focusing on

the effects of combat and environmental exposure that may result in gender-specific physiological disabilities—with particular emphasis on the reproductive, endocrine, and immune systems.

*Rural Veterans*.—The Committee should assess VA's efforts to provide timely and accessible care to veterans in rural and hard-to-reach areas through tools like telehealth, community partnerships, and other means. The VA Mission Act included numerous provisions specifically designed to bolster underserved areas and facilities, recruit providers willing to serve in rural areas, and increase access for rural veterans and the Committee should work to ensure these provisions are implemented as intended.

*Impact of Medicare for All*.—Legislation has been introduced in the House of Representatives to expand Medicare to all Americans. While initial reports indicate that the Department of Veterans Affairs will be permitted to operate, such significant restructuring of the health care market is bound to impact the department. Therefore, the Committee must investigate the potential impact an expansion of Medicare will have on the department and health care services provided to veterans.

#### SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS

*Accountability*.—I share the majority's interest in continued oversight of these issues. The Committee should continue its oversight over the implementation of the Veterans Accountability and Whistleblower Protection Act of 2017. While VA data indicates that the total number of adverse actions against VA employees increased following passage of the Act, it does not necessarily support the claim that VA is disciplining lower level employees at a higher rate than before the Act. The Committee should review how VA managers are using the new accountability measures authorized by this law. Further, the Committee should also review the operations of the Office of Accountability and Whistleblower Protection (OAWP). This review should include the office's staffing levels, budget, and adherence to law that created this office.

*VA Administration, VA Employee Adverse Actions, and Federal Labor Protections*.—I share the majority's interest in continued oversight of these issues. The Committee should continue its oversight over the implementation of the Veterans Accountability and Whistleblower Protection Act of 2017. While VA data indicates that the total number of adverse actions against VA employees increased following passage of the Act, it does not necessarily support the claim that VA is disciplining lower level employees at a higher rate than before the Act. The Committee should review how VA managers are using the new accountability measures authorized by this law. Further, the Committee should also review the operations of the Office of Accountability and Whistleblower Protection (OAWP). This review should include the office's staffing levels, budget, and adherence to law that created this office.

Additionally, the Committee must investigate the impact that collective bargaining agreements have on the department's operations. In 2018, the department determined that medical personnel were no longer eligible for taxpayer funded official time. As a result, VA returned nearly 430 clinician positions to full-time veteran patient care. VA estimated the cost of the taxpayer funded union

time of those clinicians to be nearly \$49 million annually. As the Committee reviews federal labor protections at the department, it must fully understand the costs—both monetary and opportunity—of taxpayer funded union time and collective bargaining at VA.

*Affiliations Agreements.*—The Committee should continue to investigate the relationship of VA medical facilities and personnel with affiliated medical institutions, especially academic centers and those involved in research. The Committee should also evaluate the extent to which agreements between these entities promote an efficient allocation of VA resources for the welfare and health care of veterans. Further, the Committee should analyze VA's contracted care with academic affiliates in order to monitor the negotiation of costs for services and payment amounts to affiliates for medical and dental services.

#### SUBCOMMITTEE ON TECHNOLOGY MODERNIZATION

*Healthcare Innovation and Interoperability.*—Beyond overseeing EHRM implementation, the Committee should work to ensure that VA adequately plans for and pursues the modernized enterprise data and analytics capabilities, clinical interoperability platform, and open-application program interfaces (APIs) that are necessary to benefit from advancements in the health information technology marketplace and achieve the comprehensive interoperability solution that is needed. This approach decreases risk to the EHRM program and maximizes enterprise value for veterans. VA has in the past primarily pursued analytics capabilities focused on business intelligence, and such technologies now in use in the department are fundamentally the same as those available in the early 2000s. The Committee should advocate expanding VA's clinical orchestration platforms, proactive standardization of Computerized Patient Record System (CPRS) workflows, limited modifications to VistA and CPRS where necessary to allow open-API-based applications to function in the CPRS workflows. It should also advocate for the creation of interoperable content, and the acquisition of third party web applications, with the goal of maintaining the enterprise-wide standard of care during the Cerner implementation and reducing EHRM implementation risk.

*Financial Management System Modernization.*—I share the majority's interest in the financial management system modernization. The Financial Management Business Transformation (FMBT) program seeks to replace VA's legacy core financial management system and related financial, accounting, and administrative software with one modern, commercial, integrated system. The Committee should be concerned that FMBT, which is now entering its third year, lacks direction and firm requirements. To date, the program has relied on voluntary commitments from the various organizational units of the department to replace individual software packages. The Committee should also be concerned that FMBT's initial implementation cost estimate of \$400 million has increased to a lifecycle cost estimate of over \$2.3 billion in the relatively short time since its inception. The Committee should continue monitoring the program aggressively and base its oversight on the imperative that VA demonstrates meaningful new capabilities are being imple-

mented over a timeline that corresponds to the department's functional needs.

*Enterprise Investments.*—I share the majority's interest in enterprise investments but note that VA information technology, specifically, is not presently on the GAO High Risk list. It appears that the majority is referring to VA's repeat Federal Information Security Modernization Act (FISMA) audit findings. VA's FISMA auditor continues to document many of the same findings since the annual audit commenced in 2015. Relatedly, VA is included within the GAO's "Improving the Management of IT Acquisitions and Operations" High Risk List area, which pertains to the federal government in general. Many of the Office of Information and Technology's information technology modernization initiatives are integral to the department's efforts to resolve the audit findings. The Committee will continue to evaluate such modernization initiatives in the context of their effectiveness in addressing the FISMA audit and federal-wide IT management weaknesses, which necessitates an enterprise-wide approach rather than further siloing of investments.

*IT Workforce Investments.*—I share the majority's concern about the Office of Information and Technology's increasing reliance on contractors but believe attributing the organization's problems to this alone is incorrect and recommend a more holistic oversight approach.

The Office of Information and Technology's internal capacity to develop and manage its technology portfolio and has become severely degraded. Rapid turnover, low morale, the dispersed nature of the workforce, and the resulting escalating reliance on support contractors to manage even core operations are contributing factors. While the department has demonstrated some plans to prioritize staffing program offices, and has utilized the U.S. Digital Service in an exemplary and effective manner, it is not clear that there is a comprehensive workforce plan to address the deficit, or that budget planning reflects such a workforce plan. The Committee should continue to monitor VA's efforts to rebuild its technology expertise and assess whether workforce staffing plans will meet technology implementation needs and modernization plans.

*Scheduling System Acquisition.*—I share the majority's interest in the scheduling system implementation and add that in December 2018, VA announced its decision not to expand its Columbus, Ohio scheduling system pilot. Instead, the department will continue to acquire the Cerner Millennium scheduling package and implement it on an accelerated three-year timeline, as a component critical path in the EHRM integrated master schedule. Despite continuous Committee oversight of the matter, VA officials have provided little to no information about how this decision will be carried out or how it will impact the larger EHRM program. Therefore, the Committee should assess VA's decision making process, the adequacy of the department's planning for the accelerated scheduling implementation, and its impacts.

PHIL ROE,  
*Ranking Member.*



## COMMITTEE ON WAYS AND MEANS

HOUSE OF REPRESENTATIVES,  
*Washington, DC, March 1, 2019.*

Hon. ELIJAH E. CUMMINGS,  
*Chairman, Committee on Oversight & Reform,*  
*Washington, DC.*

Hon. ZOE LOFGREN,  
*Chair, Committee on House Administration,*  
*Washington, DC.*

DEAR CHAIRMAN CUMMINGS AND CHAIRWOMAN LOFGREN: In accordance with the requirements of clause 2 of rule X of the Rules of the House of Representatives, the following is the Oversight plan of the Committee on Ways and Means for the 116th Congress. Where applicable, the Ways and Means Committee will continue to consult and coordinate with other committees in areas of shared jurisdiction on the below oversight hearings and oversight-related activities.

### **Matters under the Committee's Federal Budget Jurisdiction**

- **Economic and Budget Outlook.** Oversight hearings and other activities with various Administration officials to discuss the President's budget proposals, current economic and budget conditions, and limits on the public debt.

### **Matters under the Committee's Tax Jurisdiction**

- **Tax Reform.** Hearings and other activities related to comprehensive reform of the tax code to create a fairer, simpler tax code built for growth. Discuss and consider appropriate tax relief for families and individuals and employers of all sizes.

- **Priorities of the Department of the Treasury.** Hearings with the Treasury Secretary and other Administration officials to receive information regarding the Administration's tax-related priorities for the 116th Congress. Specifically, discuss and consider legislative and administrative proposals contained in the President's fiscal year 2020 and 2021 budgets.

- **Tax Provisions Contained in Public Law 115-97.** Hearings and other activities regarding the 2017 tax act (the Act), including hearings examining the Act's disparate impact across geographical regions, and the Act's effect on income inequality, charitable giving, home prices, funding of state and local governments, the national debt, wage stagnation, levels of business investment (including changes in the number of domestic jobs) and stock buybacks. Consider the international provisions of the Act, and whether those provisions created incentives for multinational corporations to

move jobs and economic activity offshore and to avoid taxes by taking advantage of loopholes created by the Act.

- **Infrastructure.** Hearings and other activities related to robust investment in American infrastructure directed at modernizing how Americans travel and the American economy grows, creating good jobs and meaningful economic development at the local, state, and federal levels. Examination of provisions within the Committee's jurisdiction to create jobs in a green economy and invest in underdeveloped areas, including bond-financing programs and tax credit incentives.

- **Internal Revenue Service Operations/Administration of Tax Laws.** Oversight of the major Internal Revenue Service programs, including enforcement, collection, taxpayer services, returns processing, and information systems. Continue oversight over major operating areas of the agency to ensure the nation's tax laws are being administered in a fair and impartial manner. Consider analyses and reports provided to the Congress by the IRS National Taxpayer Advocate, Treasury Inspector General for Tax Administration (TIGTA), and the Government Accountability Office (GAO). Oversight of IRS funding and staffing levels needed to provide taxpayer assistance, enforce the tax law effectively and efficiently, and to modernize the IRS information technology systems. Evaluate tax return filing seasons, including returns processing, availability of taxpayer services, and the revision of forms and issuance of guidance. Examine proposals and programs to address the "tax gap" and improve tax law compliance. Discuss proposed funding and staffing levels for the IRS, and legislative proposals and administrative proposals contained in the President's fiscal year 2020 and 2021 budgets.

- **Tax-Exempt Organizations.** Oversight of Federal tax laws, regulations, and filing requirements that affect tax-exempt organizations, including new requirements under the Act. Evaluate overall IRS efforts to provide assistance to and monitor tax-exempt organizations, identify areas of non-compliance, prevent abuse, and ensure timely disclosure to the public about tax-exempt organization activities and finances.

- **Tax Code Simplification.** Oversight of tax code complexity, particularly for individuals, with the goal of legislative or administrative simplification. Review areas where taxpayers and professional return preparers have difficulty, including areas where they make the most errors, and consider solutions. Evaluate simplification of information returns to assist taxpayers in determining taxable income.

- **Earned Income Tax Credit (EITC).** Oversight of the refundable federal income tax credit designed to assist low to moderate-income working individuals and families. Evaluate participation rates and administration of the credit.

- **Tax Scams and Improper Payments.** Oversight of the latest tax scams and tax fraud activities with a goal of protecting taxpayers and preventing identity theft. Examine IRS programs designed to identify and remedy identity theft and tax fraud. Consult and review analyses of GAO and TIGTA on this subject.



- **Federal Excise Taxes and Related Trust Funds.** Oversight review of Federal excise taxes, including credits and refunds, and the trust funds financed by these taxes.

- **Pensions and Retirement Security.** Oversight review of the financial condition, operations, and governance of the Pension Benefit Guaranty Corporation (PBGC), including the financial exposure of the PBGC.

- **Tax Returns.** Oversight of legislative proposals and tax law related to Presidential and Vice-Presidential tax returns.

#### **Matters under the Committee's Health Jurisdiction**

- **Health Reform.** Hearings and other activities related to reform of the health care system to reduce costs, lower premiums, expand choices, and ensure access to affordable coverage.

- **Priorities of the Department of Health and Human Services.** Oversight hearings with the Health and Human Services Secretary to discuss priorities for the 116th Congress and concerns related to the delivery of health services and payment under Medicare. Specifically, discuss and consider legislative and administrative proposals contained in the President's fiscal year 2020 budget.

- **Health Provisions Contained in the "Affordable Care Act" (ACA).** Hearings and other activities regarding various health provisions contained in the Patient Protection and Affordable Care Act (P.L. 111-148) and the Health Care and Education Reconciliation Act of 2010 (P.L. 111-152), known collectively as the ACA. Oversight and other activities related to ACA health provisions, including its changes to the annual updates to Medicare Fee-For-Service's payment rates, changes to Medicare Advantage's payment rates, benefit changes to fee-for-service and Medicare Advantage, and the Center for Medicare and Medicaid Innovation.

- **Medicare Part A and Part B (Fee-for-Service Providers).** Oversight of Medicare to ensure efficient use of resources, quality of care, and access to providers for Medicare beneficiaries. Specific topics include: adequacy and appropriateness of provider payments, including incentive payments and implementation of reforms to physician payment systems; program benefits; patient out-of-pocket costs; workforce supply; treatment of specific populations such as people with disabilities and low-income beneficiaries; social determinants of health and health disparities; prescription drug costs; quality improvement efforts; and waste, fraud, and abuse activities.

- **Medicare Advantage.** Oversight of Medicare Advantage health plans, including: enrollment; benefit packages; quality; beneficiary choice; coding risk adjustment and payment accuracy; and submission of encounter data and health risk assessments.

- **Medicare Part D (Prescription Drug Plans).** Oversight of the Medicare prescription drug program, including: costs of prescription drugs; beneficiary premiums and cost-sharing; the risk sharing structure and reinsurance; improvements to the low income subsidy program; impacts of recently enacted legislation and regulations on the Part D program; access to retiree prescription drug coverage; and the use of Medicare negotiation and competition to lower prescription drug costs.

- **Medicare Trust Fund Stewardship.** Oversight of program changes on the Medicare Trust Funds; premium and copay levels;

provider payments; benefit design, and improvements to the program's long-term sustainability.

- **CMS Administration.** Oversight of CMS, including issuance of regulations and their impact on Medicare beneficiaries and providers; the adequacy and use of CMS' budget and staff; contracting activities; communications with beneficiaries; adherence to the Administrative Procedure Act; and general agency accountability.

- **Private Health Insurance Coverage.** Oversight and review of private health coverage, including: cost, access, subsidies to purchase insurance, benefit design, coverage options, pooling mechanisms, and employer-sponsored benefits; COBRA; HCTC; health savings accounts and flexible spending arrangements; options to reduce the cost of health coverage, expand coverage, and address the rate of increase in health care costs; the impact of the ACA and related regulations on those with private insurance, the uninsured, employers, the economy, and state budgets; and adherence to the Administrative Procedures Act.

- **Surprise Billing.** Oversight of the causes and consequences of surprise medical bills, state actions to protect consumers, and federal options to ensure families are not left unprotected from unanticipated charges by health providers.

- **Prescription Drugs.** Oversight of the landscape of federal policies that can be changed to lower prescription drug prices including tax incentives, payment incentives, and misaligned incentives among various entities in the health system, as well as ways to directly lower patient cost as well as costs overall in health care and costs to taxpayers.

#### **Matters under the Committee's Worker and Family Support Jurisdiction**

- **Work Support.** Review proposals designed to better support low-income families in working and increasing their earnings so they can escape poverty, including programs and policies that help parents qualify for, obtain, and retain good jobs.

- **Unemployment Compensation.** Provide oversight of the nation's unemployment compensation benefits and financing systems, including those designed to accelerate returns to work, and to ensure that they are prepared for future recessions.

- **Child Welfare.** Provide oversight of the nation's child welfare programs, including foster care, adoption assistance, and child and family service programs under Titles IV-B and IV-E of the Social Security Act. Review state efforts to promote adoption, provide prevention services, decrease the inappropriate use of congregate care settings, strengthen family connections, and successfully address the health and educational needs of foster children.

- **Paid Family Leave.** Review proposals in the Committee's jurisdiction to provide paid family leave to workers in order to improve economic and family outcomes.

#### **Matters under the Committee's Social Security Jurisdiction**

- **Adequacy of benefits and options for strengthening Social Security.** Examine the role of Social Security benefits in ensuring economic security for retirees, persons with career-ending disabilities, and survivors; how well the program is meeting the

needs of current and future beneficiaries; and financing challenges facing Social Security. In addition, compare and contrast options to strengthen Social Security.

- **Ability of Social Security Administration (SSA) to serve the public and effectively administer benefits.** Examine SSA's ability to serve the public in person at local field offices and hearing offices, as well as by phone and via the internet; office closures and other barriers to in-person assistance; and the problems of backlogs and service delays, including long delays in the disability appeals process. Evaluate SSA's ability to prevent errors and detect fraud. Oversee SSA's implementation of recent legislation including reforms in the representative payment program. Examine the adequacy of SSA's administrative budget.

- **Access to earned disability benefits.** Examine the extent to which SSA's policies and procedures ensure due process and access to benefits for individuals who meet eligibility criteria in the law.

- **Information technology, cybersecurity and identity theft.** Oversee SSA's investments in information technology, including its modernization program, cybersecurity at SSA, and the prevention of identity theft involving Social Security numbers.

#### **Matters under the Committee's Trade Jurisdiction**

- **Trade Negotiations.** Fully exercise Congress' constitutional role and oversight responsibilities regarding existing and new trade negotiations. Ensure the Administration's compliance with statutory Congressional notification, consultation, and transparency requirements, with the goal of concluding meaningful, comprehensive and high-ambition agreements, with particular focus on: addressing long-standing structural and competitively consequential challenges with China; the European Union; Asia-Pacific; and other relevant trading partners or topical issues. Closely monitor the withdrawal of the United Kingdom from the European Union to determine an appropriate approach and timeline for negotiations concerning a trade agreement with the United Kingdom.

- **Enforcement.** Oversight of enforcement of U.S. rights under trade agreements, including the World Trade Organization (WTO) Agreements and bilateral and regional free trade agreements, to hold U.S. trading partners accountable and render commitments secured from trading partners meaningful. Oversight of the implementation of the Trade Facilitation and Trade Enforcement Act of 2015 to ensure that the new enforcement tools in the bill are being fully utilized, particularly with respect to evasion of trade remedies, forced labor, intellectual property rights violations, currency policy, and violations of trade agreements. Particular oversight of enforcement activities related to China's WTO commitments, as well as continuing barriers imposed by other countries and economies. Oversight of the administration of U.S. trade remedy laws, as well as enforcement related to U.S. intellectual property rights, import safety, and illegal transshipment.

- **Implemented Trade Agreements and Agreements in the Process of Implementation.** Oversight of implemented agreements with Colombia; Panama; Peru; Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, and Nicaragua (CAFTA-DR); Oman; Bahrain; Singapore; Chile; Australia; Mo-

rocco; Jordan; Canada and Mexico (NAFTA); and Israel. Oversight of implemented elements of the agreement with Korea and provisions of the 2018 renegotiation that Korea is still in the process of implementing. Continued analysis of the impact of these trade agreements for American workers, companies, ranchers, and farmers. Identify provisions of such trade agreements that should be improved or updated.

- **Miscellaneous Tariff Bill (MTB).** Oversight of the implementation of the procedures set forth in the American Manufacturing Competitiveness Act of 2016, to include: ensuring that the International Trade Commission and the Executive Branch perform their roles within the timeframes set forth in the bill and maintain an open and transparent process; and producing a legislative package of noncontroversial provisions for consideration by the House.

- **Impact of Trade on U.S. Job Creation.** Oversight of the impact of trade on U.S. jobs, wages, and economic growth or displacement.

- **Trade Remedies.** Oversight and promotion of the enforcement of the trade remedy laws, in compliance with the legal and evidentiary requirements established by Congress. Oversight of implementation of the Enforce and Protect Act of 2015 by Customs and Border Protection (CBP) to address trade remedy evasion and ensure CBP's compliance with the law as written. Support of Administration efforts to defend the use of the criteria established by Congress to identify non-market economy countries for the purposes of antidumping cases.

- **China.** Oversight of Administration strategies to respond to or counteract continued high level of government intervention in China's economy. Oversight of systemic problems in U.S.-China trade relations, including issues related to China's compliance with its commitments and adoption of norms reflected in the rules of the WTO; labor and environmental standards; consistent lack of protection and enforcement of U.S. intellectual property rights; excess production capacity for steel, aluminum, and many other commodities; indigenous innovation requirements; use of subsidies to advance industrial policies; and currency policies. Oversight of enforcement issues including ensuring that implementation of U.S. trade remedy laws appropriately accounts for China's state intervention in its economy.

- **Preference Programs.** Oversight, reform and renewal of major U.S. trade preference programs, including the Generalized System of Preferences (expiring December 31, 2020) and the African Growth and Opportunity Act.

- **Labor.** Oversight and promotion of Administration efforts to enforce labor obligations in U.S. trade agreements and to implement the ban on imports produced as a result of forced labor. Continued oversight of U.S. trade agreements under which a petition has been filed alleging that the country is not complying with the labor obligations in the agreement, including Colombia, Peru, Honduras, and the Dominican Republic.

- **Environment.** Oversight and promotion of Administration efforts to enforce environmental obligations in U.S. trade agreements. Continued oversight of the U.S.-Peru Trade Promotion

Agreement which provides for specific, additional obligations to address forestry management and trade in illegally harvested timber.

- **Agriculture.** Oversight and promotion of Administration efforts to enforce provisions relating to and to remove tariff and unjustified non-tariff barriers to U.S. agriculture and biotechnology. Continued analysis and assessment of the benefits of agriculture exports to U.S. farmers, ranchers, companies, workers, and rural communities, and the need to increase U.S. agriculture exports.

- **Manufacturing.** Oversight and promotion of Administration efforts to enforce provisions relating to and remove tariff and non-tariff barriers to U.S. manufacturing, with particular focus on effectively addressing global excess production capacity for steel, aluminum, and other commodities. Continued analysis and assessment of the impact of manufacturing exports to U.S. manufacturers and their employees, and the need to increase U.S. manufacturing exports.

- **Services.** Oversight and promotion of Administration efforts to enforce provisions relating to and to remove barriers to the U.S. services sector. Analysis and assessment of the benefits of services to all sectors of the U.S. economy and the need to increase U.S. exports. Oversight over “covered agreement” insurance negotiations.

- **Digital Trade and E-commerce.** Oversight regarding trade barriers faced by U.S. workers, manufacturers, service providers, and the agriculture sector in the area of digital trade and e-commerce, particularly with respect to data issues (localization measures and dataflows). Oversight regarding how to address these issues through enforcement and trade negotiations.

- **World Trade Organization (WTO).** Oversight of U.S. goals in the WTO, including reform proposals, negotiations (including efforts such as the Environmental Goods Agreement, Trade in Services Agreement, relating to fisheries subsidies, e-commerce), the functioning and reform of the dispute settlement system, and WTO accessions (including consideration of legislation granting Permanent Normal Trade Relations status and graduation from the Jackson-Vanik amendment’s requirements). Analysis of the impact of WTO membership for the United States, including the U.S. experience and record in WTO dispute settlement, the role of a rules-based system for U.S. businesses, producers, workers, and consumers, and the cost of non-compliance or lack of compliance by other WTO members with WTO rules. Monitor the progress of WTO members in undertaking the domestic processes necessary to bring the Trade Facilitation Agreement into force.

- **Trade Sanctions.** Oversight concerning import sanctions with, among others, Iran, Russia, Cuba, North Korea, Syria, and Venezuela.

- **Trade Adjustment Assistance.** Continued oversight concerning the Trade Adjustment Assistance programs for workers, firms, communities, and farmers, to monitor the effectiveness of these programs in providing training and new jobs for displaced workers and determine the parameters for effective reform and improvement.

- **Priorities of the Office of the United States Trade Representative (USTR).** Oversight over USTR to evaluate priorities for the 116th Congress and the trade agenda, and to assure its

statutory role with respect to trade policy. Possible consideration of authorization, at the earliest opportunity. Oversight over trade advisory committees.

- **Priorities of Customs and Border Protection (CBP).** Oversight over CBP and implementation of Customs revenue functions. Oversight of the implementation of the Enforce and Protect Act of 2015 to ensure that the new enforcement tools provided in the bill are being fully utilized by CBP, including provisions relating to evasion of trade remedy laws and forced labor.

- **Priorities of the United States International Trade Commission.** Oversight over the Commission concerning overall priorities and operations. Possible consideration of authorization, at the earliest opportunity.

This list is not intended to be exclusive. The Committee anticipates that additional oversight hearings and activities will be scheduled as issues arise and as time permits. Also, the Committee's oversight priorities and particular concerns may change as the 116th Congress progresses over the coming two years.

Sincerely,

RICHARD E. NEAL,  
*Chairman.*

## COMMITTEE ON WAYS AND MEANS

HOUSE OF REPRESENTATIVES,  
*Washington, DC, February 28, 2019.*

Hon. ELIJAH CUMMINGS,  
*Chairman, Committee on Oversight & Reform,*  
*Washington, DC.*

Hon. ZOE LOFGREN,  
*Chair, Committee on House Administration,*  
*Washington, DC.*

DEAR CHAIRMAN CUMMINGS AND CHAIRWOMAN LOFGREN: In accordance with the requirements of clause 2 of rule X of the Rules of the House of Representatives, the following is the Minority view of the Oversight plan of the Committee on Ways and Means for the 116th Congress.

### I. OVERSIGHT

Below is a list of oversight hearings and oversight-related activities that the Committee on Ways and Means and its Subcommittees should conduct during the 116th Congress.

#### **Matters under the Committee's Federal Budget Jurisdiction**

- **Economic and Budget Outlook.** Oversight hearings and other activities with various Administration officials to discuss current economic and budget conditions, including the long-term outlook, the state of the economy, prospects for short- and long-term growth, our economic competitiveness, private sector job creation, and limits on the public debt.

#### **Matters under the Committee's Tax Jurisdiction**

- **Tax Reform.** Discuss and consider appropriate tax relief for families and individuals and employers of all sizes. Also discuss and consider restructuring of the Internal Revenue Service with a service-first focus to better align the tax administrator with the simpler, pro-growth tax code.

- **Priorities of the Department of the Treasury.** Hearings with the Treasury Secretary and other Administration officials to receive information regarding the Administration's tax-related priorities for the 116th Congress. Specifically, discuss and consider legislative and administrative proposals contained in the President's fiscal year 2020 and 2021 budgets.

- **Tax Provisions Contained in the "Affordable Care Act" (ACA).** Hearings and other activities regarding various tax provisions contained in the Patient Protection and Affordable Care Act (P.L. 111-148) and the Health Care and Education Reconciliation Act of 2010 (P.L. 111-152), known collectively as the ACA. Continued oversight and other activities related to ACA tax provisions,

such as the individual mandate, the employer mandate, the premium tax credit, the Exchange subsidies, the medical device tax, and the 3.8 percent surtax on capital gains, dividends, and other investment income.

- **Internal Revenue Service Operations/Administration of Tax Laws.** Oversight of the major Internal Revenue Service programs, including enforcement, collection, taxpayer services, returns processing, and information systems. Continue oversight over major operating areas of the agency to ensure the nation's tax laws are being administered in a fair and impartial manner. Consider analyses and reports provided to the Congress by the IRS National Taxpayer Advocate, Treasury Inspector General for Tax Administration (TIGTA), and the GAO. Oversight of IRS funding and staffing levels needed to provide taxpayer assistance and enforce the tax law effectively and efficiently. Evaluate tax return filing seasons, including electronic filing, improper payments levels, identity theft, and fraud prevention efforts. Review proposed funding and staffing levels for the IRS, and legislative proposals and administrative proposals contained in the President's fiscal year 2020 and 2021 budgets.

- **IRS Audit Selection Procedures.** Oversight of the processes the IRS uses to select individuals and groups for audit. Continue coordination with GAO regarding audit work assessing IRS audit selection procedures and safeguards across all IRS business units. Consider analyses and reports on this subject by GAO and TIGTA.

- **Tax-Exempt Organizations.** Oversight of Federal tax laws, regulations, and filing requirements that affect tax-exempt organizations. Evaluate overall IRS efforts to monitor tax-exempt organizations, identify areas of non-compliance, prevent abuse, and ensure timely disclosure to the public about tax-exempt organization activities and finances. Review IRS tax-exempt application process and agency oversight of new exempt organizations. Consider analyses and reports completed by TIGTA on the IRS' treatment of tax-exempt organizations and those entities applying for tax-exempt status.

- **Tax Code and Tax Form Simplification.** Oversight of tax code and tax form complexity, particularly for individuals, with the goal of legislative or administrative simplification. Review areas where taxpayers and professional return preparers have difficulty, including areas where they make the most errors, and consider solutions. Evaluate simplification of information returns to assist taxpayers in determining taxable income. Examine proposals to close the "tax gap" by simplifying compliance with our tax laws.

- **Earned Income Tax Credit (EITC).** Oversight of the refundable federal income tax credit designed to assist low to moderate income working individuals and families. Evaluate the participation and improper payment rates within the program, and IRS efforts to eliminate EITC abuse.

- **Tax Scams and Improper Payments.** Oversight of the latest tax scams, tax shelters, and tax fraud activities with a goal of protecting taxpayers and preventing identity theft. Examine IRS initiatives and efforts to curb tax fraud and the abuse of tax credits, including improper payments in the administration of tax credits. Review IRS processes designed to identify and remedy identity



theft. Consult and review analyses of GAO and TIGTA on this subject.

- **Federal Excise Taxes and Related Trust Funds.** Oversight review of Federal excise taxes, credits, and refunds, including the trust funds financed by these taxes.

- **Pensions and Retirement Security.** Oversight review of the financial condition, operations, and governance of the Pension Benefit Guaranty Corporation (“PBGC”), including the financial exposure of the PBGC.

#### **Matters under the Committee’s Health Jurisdiction**

- **Health Reform.** Hearings and other activities related to significant reform of the health care system to reduce costs, lower premiums, expand choices and ensure access to affordable coverage.

- **Priorities of the Department of Health and Human Services.** Oversight hearings with the Health and Human Services Secretary to discuss priorities for the 116th Congress and concerns related to the delivery of health services and reimbursement under Medicare. Specifically, discuss and consider legislative and administrative proposals contained in the President’s fiscal year 2020 and 2021 budgets.

- **Health Provisions Contained in the “Affordable Care Act” (ACA).** Hearings and other activities regarding various health provisions contained in the Patient Protection and Affordable Care Act (P.L. 111–148) and the Health Care and Education Reconciliation Act of 2010 (P.L. 111–152), known collectively as the ACA. Continued oversight and other activities related to ACA health provisions, including its changes to the annual updates to Medicare Fee-For-Service’s payment rates, changes to Medicare Advantage’s payment rates, benefit changes to fee-for-service and Medicare Advantage, and creation of the Center for Medicare and Medicaid Innovation.

- **Medicare Part A and Part B (Fee-for-Service Providers).** Oversight of the major Medicare programs to ensure efficient use of resources, quality of care, and access to providers for Medicare beneficiaries. Specific topics include: adequacy and appropriateness of provider reimbursements, including incentive payments and implementation of reforms to physician payment systems through the Medicare Access and CHIP Reauthorization Act of 2015 (P.L. 114–10); program benefits; cost sharing; workforce supply; the doctor-patient relationship; treatment of specific populations such as people with disabilities and low-income beneficiaries; quality improvement efforts; and waste, fraud, and abuse activities.

- **Medicare Advantage.** Oversight of Medicare Advantage health plans, including: enrollment; reimbursements; benefit packages; quality; beneficiary choice; and recent statutory and regulatory changes affecting Medicare Advantage health plans and their enrollees.

- **Medicare Part D (Prescription Drug Plans).** Oversight of the Medicare prescription drug program, including: drug pricing; benefits; beneficiary premiums and cost-sharing; beneficiary choice; impacts of recently enacted legislation and regulations and their impact on the Part D program; and access to retiree prescription drug coverage.

- **Medicare Entitlement.** Oversight of program changes on the Medicare Trust Funds; premium and copay levels; provider payments; and benefit design, and improving the program's long-term sustainability.

- **CMS Administration.** Oversight of CMS, including issuance of regulations and their impact on Medicare beneficiaries and providers; the adequacy and use of CMS' budget and staff; contracting activities; communications with beneficiaries; adherence to the Administrative Procedures Act; and general agency accountability.

- **Private Health Insurance Coverage.** Oversight and review of private health coverage, including: cost, access, subsidies to purchase insurance, benefit design, coverage options, pooling mechanisms, and employer-sponsored benefits; COBRA; HCTC; health savings accounts and flexible spending arrangements; options to reduce the cost of health coverage, expand coverage, and address the rate of increase in health care costs; the impact of the ACA and related regulations on those with private insurance, the uninsured, employers, the economy, and state budgets; and adherence to the Administrative Procedures Act.

- **Women's Health Outcomes.** Oversight of maternal mortality and morbidity causes related to pregnancy or childbirth in the United States. Evaluate steps taken to identify at-risk women, track, review, and reduce pregnancy-related deaths and severe harms. Examine health practices for treating victims of sexual assault.

#### **Matters under the Committee's Worker and Family Support Jurisdiction**

- **Welfare Reform.** Review proposals designed to better assist low-income families in increasing their work and earnings so they can escape poverty, including by developing innovative efforts to improve cooperation between and the performance of TANF, child care, social services and multiple other benefit programs. As part of this process, ensure that programs are rigorously evaluated and held accountable for achieving measurable performance goals, including substantive work and activity requirements for adult recipients, such as the TANF program has applied since 1996 reforms. Also review opportunities to prevent duplication, overlap, and fragmentation, in order to improve the overall effectiveness of efforts to serve low-income individuals. Examine associated barriers to increasing self-sufficiency among low-income families with children, and how changes may better address the needs of adult beneficiaries who face barriers to employment.

- **Unemployment Compensation.** Provide oversight of the nation's unemployment compensation benefits and employment security systems, especially those designed to accelerate returns to work, prevent inappropriate benefit payments, and improve overpayment recovery.

- **Child Welfare.** Provide oversight of the nation's child welfare programs, including foster care, adoption assistance, and child and family service programs under Titles IV-B and IV-E of the Social Security Act, including the newly enacted Family First Prevention Services Act. Review state efforts to promote adoption, provide prevention services, decrease the inappropriate use of congregate care

settings, strengthen family connections, and successfully address the health and educational needs of foster children.

#### **Matters under the Committee's Social Security Jurisdiction**

- **Securing the Future of Social Security.** Examine the role of Social Security benefits in the retirement security of today's and future retirees, financing challenges facing Social Security, the cost to taxpayers and beneficiaries of delay in addressing those challenges, and options to strengthen Social Security, including how the program is meeting the needs of today's and future beneficiaries.

- **Use of the Social Security Number.** Examine the use of the Social Security number (SSN) as a unique identifier, whether that use is necessary and appropriate, and options for the future of the SSN.

- **Stewardship of Social Security Programs.** Provide oversight of the management, performance, and long-range strategic planning related to Social Security programs.

- **Deployment of Resources.** Oversight of the SSA's deployment of limited resources to serve the public and taxpayers, including evolving service delivery approaches, policy administration and program implementation impacts, and the SSA's role in supporting other Federal programs through interagency and data sharing agreements.

#### **Matters under the Committee's Trade Jurisdiction**

- **U.S.-Mexico-Canada Agreement (USMCA).** Passage of legislation under Trade Promotion Authority (TPA) to implement the USMCA in a manner that meets TPA requirements and Member priorities.

- **Trade Negotiations and Trade Promotion Authority.** Fully exercise Congress' oversight responsibilities regarding existing and new trade negotiations. Ensure the Administration's compliance with TPA's Congressional notification, consultation, and transparency requirements. Ensure the Administration's consideration of Congressional trade objectives contained in TPA, with the goal of concluding comprehensive and high-ambition agreements, with particular focus on Japan, the European Union, the United Kingdom and other interested trading partners/relevant topical issues.

- **China.** Oversight of systemic problems in U.S.-China trade relations, including issues related to China's consistent lack of protection and enforcement of U.S. intellectual property rights; excess production capacity for steel, aluminum, and many other commodities; indigenous innovation requirements; use of industrial subsidies; export restraints on key products; high level of government intervention including through state-owned enterprises; and currency policies. Oversight of the implementation of the Synthetics Trafficking and Overdose Prevention Act of 2018 to ensure that the new enforcement tools for stopping the flow of illegal opioids/fentanyl from entering the United States through the international mail are being fully executed.

- **Tariff policy.** Given the constitutional authority of Congress over tariffs, oversight over the use of tariffs, particularly those im-

posed under Section 232 of the Trade Expansion Act of 1962 and Section 301 of the Trade Act of 1974. Analysis of the goals and effectiveness of such tariffs, including the impact of tariffs and retaliation by other countries on U.S. manufacturers and consumers as well as U.S. allies engaged in fair trade. Oversight over product exclusion and country exemption processes.

- **Enforcement.** Oversight of enforcement of U.S. rights under trade agreements, including the WTO Agreements and bilateral and regional free trade agreements, to hold U.S. trading partners accountable. Oversight of the implementation of the Trade Facilitation and Trade Enforcement Act of 2015 to ensure that the new enforcement tools in the bill are being fully utilized, particularly with respect to evasion of trade remedies, intellectual property violations, currency policy, forced labor, and violations of trade agreements. Particular oversight of enforcement activities related to China's WTO commitments, as well as continuing barriers imposed by India. Oversight of the administration of U.S. trade remedy laws, as well as enforcement related to U.S. intellectual property rights, import safety, and illegal transshipment. Oversight of the implementation of the Synthetics Trafficking and Overdoes Prevention Act of 2018 to ensure that the new enforcement tools for stopping the flow of illegal opioids/fentanyl from entering the United States through the international mail are being fully executed.

- **Implemented Trade Agreements.** Oversight of implemented agreements with Colombia; Panama; Korea; Peru; Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, and Nicaragua (CAFTA-DR); Oman; Bahrain; Australia; Morocco; Singapore; Chile; Jordan; and Israel. Continued analysis of the benefits of these trade agreements for American companies, workers, ranchers, and farmers. Identify provisions of such trade agreements that should be updated to increase and improve the benefits, including by drawing on work from previous trade negotiations.

- **Miscellaneous Tariff Bill (MTB).** Oversight of the implementation of the procedures set forth in the American Manufacturing Competitiveness Act of 2016 to reduce or suspend tariffs for U.S. manufacturers on products not made in the United States, to include: ensuring that the International Trade Commission and the Executive Branch perform their roles within the timeframes set forth in the process bill and maintain an open and transparent process; and working to produce a legislative package of non-controversial provisions for consideration by the House.

- **Role of Trade in U.S. Job Creation.** Oversight of the role of trade in creating U.S. jobs and economic growth and how to create new market access for U.S. manufactured goods, agriculture, and services.

- **Trade Remedies.** Oversight and promotion of the enforcement of the trade remedy laws, in compliance with the legal and evidentiary requirements established by Congress. Oversight of implementation of the Enforce and Protect Act of 2015 by Customs and Border Protection (CBP) to address trade remedy evasion and ensure CBP's compliance with the law as written. Support of Administration efforts to defend the use of the criteria established by Congress to identify non-market economy countries for the purposes of antidumping cases.

- **Preference Programs.** Oversight of major U.S. trade preference programs, including the Generalized System of Preferences and the African Growth and Opportunity Act, the Caribbean Basin Trade Partnership Act, and the Haitian Hemispheric Opportunity through Partnership Encouragement Act.

- **Agriculture.** Oversight and promotion of Administration efforts to increase enforcement and remove tariff and non-tariff barriers to U.S. agriculture, including non-science based sanitary and phytosanitary measures and barriers to agriculture biotechnology. Continued analysis and assessment of the broad and crucial benefits of agriculture exports to U.S. farmers, ranchers, companies, workers, and rural communities, and the need to increase U.S. agriculture exports.

- **Manufacturing.** Oversight and promotion of Administration efforts to increase enforcement and remove tariff and non-tariff barriers to U.S. manufacturing. Continued analysis and assessment of the broad and crucial benefits of manufacturing exports to U.S. manufacturers and their employees, and the need to increase U.S. manufacturing exports.

- **Services.** Oversight and promotion of Administration efforts to increase enforcement to remove barriers to the U.S. services sector. Analysis and assessment of the broad and crucial benefits of services to all sectors of the U.S. economy and the need to increase U.S. exports.

- **Digital Trade and E-commerce.** Oversight regarding trade barriers faced by U.S. manufacturers, service providers, and the agriculture sector in digital trade and e-commerce, particularly with respect to data issues (localization measures and dataflows). Oversight regarding how to address these issues through enforcement and trade negotiations.

- **World Trade Organization (WTO).** Oversight of U.S. goals in the WTO, including negotiations, the functioning of the dispute settlement system, and WTO accessions (including consideration of legislation granting Permanent Normal Trade Relations status and graduation from the Jackson-Vanik amendment's requirements). Analysis of the benefits of WTO membership for the United States, including the success of the WTO dispute settlement system and the importance of predictable rules to U.S. businesses and consumers. Monitoring the progress of WTO members in undertaking the domestic processes necessary to bring the Trade Facilitation Agreement into force. Oversight over negotiations on e-commerce.

- **Trade Sanctions.** Oversight concerning import sanctions with, among others, Iran, Russia, North Korea, Syria, and Cuba.

- **Trade Adjustment Assistance.** Continued oversight concerning the Trade Adjustment Assistance programs for workers, firms, communities, and farmers, to monitor the effectiveness of these programs in providing training and new jobs for displaced workers in a simple and cost-effective manner.

- **Priorities of the Office of the United States Trade Representative (USTR).** Oversight over USTR to evaluate priorities for the 116th Congress and the trade agenda, and to assure its statutory role with respect to trade policy. Oversight over trade advisory committees.

- **Priorities of Customs and Border Protection (CBP).** Oversight over CBP and implementation of Customs revenue functions. Oversight of the implementation of the Trade Facilitation and Enforcement Act of 2015 to ensure that the new enforcement tools provided in the bill are being fully utilized by CBP, including provisions relating to evasion of trade remedy laws and forced labor.

- **Priorities of the United States International Trade Commission.** Oversight over the Commission concerning overall priorities and operations.

This list is not intended to be exclusive. The Committee anticipates that additional oversight hearings and activities will be scheduled as issues arise and as time permits. Also, the Committee's oversight priorities and particular concerns may change as the 116th Congress progresses over the coming two years.

Sincerely,

KEVIN BRADY,  
*Ranking Member.*

